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## **THESIS**

**AN UNMASTERED PAST: LATVIA AND RUSSIA AFTER  
NATO AND EU ENLARGEMENT: BILATERAL ISSUES OF  
STATECRAFT 2003-2006**

by

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ENLARGEMENT: BILATERAL ISSUES OF STATECRAFT 2003-2006**

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## **ABSTRACT**

Latvian-Russian bilateral relations must be understood in their historical framework. Relations were expected to improve after the enlargement of NATO and the European Union in 2004. These expectations, however, were not fulfilled and changes within the international system left no significant influence on state of affairs in Latvian-Russian relations. Therefore, the central consideration in this thesis is to explain the formulation and implementation of foreign policies of both states in context of agendas of political elite and society. This thesis examines the main theoretical paradigms of international relations, which influence the interstate relations as well as importance of perception of antagonistic policies. The centerpiece of these relations is the problem of the border treaty that includes several other issues such as recognition of occupation, state continuity of Latvia and eventually the problem of the Slavic population in Latvia.

The thesis also touches upon the future of Latvian-Russian relations, claiming that the current lack of incentives does not predict an optimistic scenario, namely, normalization of bilateral relations. Rather that both states will maintain the substantial level of animosity and will try to use situation on the international level to acquire supporters of their policies.

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I wrote this paper thinking about the world, in which my two-year old daughter, Gunda Beate, will live in twenty to thirty years. Her generation should not be left to deal with the problems, over which Latvia and Russia stumble today. Hopefully, this paper will help to explain, why Latvians and Russians continue to maintain animosity in domestic and foreign politics. To know and to understand, however, is not enough anymore; to admit and to tolerate is even more important, because the past matters, but

the future matters even more. Until this future becomes a past, we still have a chance to change the course of Latvian-Russian relations and put them on a positive track neither losing self-esteem, nor national pride.

Saying this, I want to admit that there were other people in the United States and in Latvia – my friends and colleagues – who in many ways facilitated the formation of this thesis. All of them are proud people of my country, to whom the future and prosperity of Latvian statehood belong.

## **I. INTRODUCTION**

### **A. PURPOSE AND SIGNIFICANCE**

Bilateral relations between Latvia and Russia cannot be understood other than within its specific historical context, comprised of more than eighty years of uneasy puzzles, conflicts, and attempts for reconciliation. Two world wars and two revolutions, memories about ruthless crimes against the population as well as profound rhetoric about value differences create puzzles of policies that are deeply rooted in history. The difficulties of contemporary bilateral relations lead us to search for an explanation of the development of Latvian-Russian relations. How does anyone find the most plausible explanation concerning the nature of these relations, and is there a way to predict the future of these relations?

The security environment around the Baltic Sea over last three years has changed fundamentally. Three Baltic States – Latvia, Lithuania and Estonia-- occupied by the Soviet Union from 1940-1991, became members of the North Atlantic Treaty Organization (NATO) and the European Union (EU) in spring 2004.

The desire to be a member of the transatlantic community simultaneously excluded political identification with the Soviet past and meant weakening the political and economic ties with Russia, the anchor of the Soviet Union and its successor. Therefore, throughout the 1990's, discussions about how to build relations between the two states and what political goals were to be achieved were an important part of the political debate within Latvia and Russia. Moreover, this discussion has been reciprocally important since the establishment of the Latvian state in 1918 and, traditionally, bilateral relations have been an important area of concern for politicians in both states.

The enlargement of NATO and the EU was expected to serve as an impulse for positive changes in relations between Latvia and Russia. After 2004, however, these relations had a tendency to deteriorate, reaching a state of regular insults between political leaders. The foundation of fundamental discrepancies between Latvia and Russia derive directly from the interpretation of consequences of World War II, namely, a legal and political dispute over the interstate border, and the status of the non-Latvian population in Latvia. At the current stage both states are inclined to diminish profound

state of “negative stability,” but not the dysfunctional nature of bilateral relations. At the same time, as will be argued, the reasons for enhancing a dialog are not being pursued through the genuine interest of both states to seek compromise over actual bilateral problems. In fact, both states are trying to maneuver using means of power and persuasion to achieve their respective goals.

The topic is very significant for three reasons. First, after the collapse of the Soviet Union both neighbors had all necessary preconditions for political and economic cooperation that would contribute for promoting the security and well-being in the Baltic States and around the Baltic Sea. Seeking for common positions in regional and global security matters, however, appeared to be difficult to be successful. Especially after Latvia joined NATO and the EU, seemingly hopeful prospects for cooperation vanished in the course of political debate. The legacy of the Soviet regime left both states not only with unsolved legal and political problems, but also with feelings of mutual resentment.

Second, any impediment to cooperation between Latvia and Russia after the enlargement of NATO and the EU has potential to become an impediment of cooperation between these organizations and Russia. From this perspective, normalization of relations is in the interests of all European states and NATO allies.

Third, there have been many disputes about the nature of Latvian and Russian discrepancies as they were based in cultural differences between Latvians and Russians. The effect of domestic political culture and traditions of decision-making in the sphere of national security seem not researched enough to draw these conclusions, but it is important to test existing practices and link them to theoretical approaches.

## **B. ARGUMENT AND MAJOR QUESTION**

This research rests on the thesis that relations between Latvia and Russia, after NATO and the EU enlargement, are still based on strong mutual historical biases that are consequently produced by domestic politics and limit the flexibility of the formulation and implementation of state foreign policy in regard to each other. Thus, it has been demonstrated how issues from the past, if unmastered politically, can create situations in which political and economic cooperation between states becomes problematic. At this moment there is no sector of interstate relations that is not be influenced by cooperation problems, caused by unsettled issues of the past. Among these disagreements, one issue,

however, has taken central place, namely, the interpretation of the consequences of World War II. The victory of the Allies over Nazi Germany did not bring freedom for all nations in Europe. The “iron curtain” not only divided spheres of influence in Europe, it also doomed the nations of Central Europe to long suffering under the communist regime. For Latvia the end of World War II meant numerous crimes against its population, including repressions, deportations, and massive emigration of Latvians to the West. Moreover, Soviet policy left behind even more complications; for example, the transfer of the Abrene district – a Latvian territory-- incorporated into the Russian Federation in 1946. After Latvia regained independence in 1991, this issue developed into a territorial dispute between the two states.

The recognition of occupation is another extremely important issue for Latvian historical consciousness and even sovereignty of the state in the future, due to its link to the continuity of the state. It must be said, however, that legal discussions have been heavily influenced by political debate within both states, which has overshadowed legal rationale and thus possibilities to find a common solution based on principles of international law.

Having said this, this thesis argues that the border dispute and whole complex of Latvian-Russian bilateral relations is unlikely to be solved without a mutual political commitment and compromise.

To explain this statement the following questions will be addressed:

- 1) Why at the beginning of the 21st century do the majority of foreign policy issues between Latvia and Russia find their roots in interpretations of the outcome of World War II?
- 2) How do domestic audiences and political institutions influence foreign policy formulation in Latvia and Russia after NATO and EU enlargement?
- 3) Has Russia changed its foreign policy towards the Baltic States from treating them as former constituencies of the periphery of the Empire to acknowledging them as full-fledged members of the European community? If so, is Russian foreign policy irreversible?
- 4) Do disagreements between Latvia and Russia have or have the potential to cause a significant impact on broader security agendas in Europe?

### **C. METHODOLOGY**

Foreign policy of any state must be analyzed through the lens of domestic political and social institutions structures, beliefs and constructed identities, and rhetoric of the political elite. Therefore a general framework of this thesis will be analyzed from the theoretical approach of constructivism, even though some policy arguments can be better explained by looking also in the paradigms of neorealism and liberal institutionalism.

For this thesis a number of primary sources such as the official documents of the Republic of Latvia and the Russian Federation (laws, regulations, bilateral and multilateral agreements will be reviewed, as well as the conventions, concepts and drafts of official documents); interviews with the officials and academics will also be presented and analyzed. Secondary sources will include books on regional studies of the security of the Baltic States and the history of WWII and its consequences; articles and publications on the history of defense cooperation within the Baltic Sea region as well as information from news agencies and Latvian, Russian, and global media.

The thesis consists of an Introduction, three chapters of description of Latvian-Russian political relations and policy formulation, the case study of the Latvian-Russian border treaty, and the Conclusion.

Chapter II deals with the framework of Latvian-Russian bilateral relations. The chapter is divided into two parts. The first part takes a look into the most widely used international relations paradigms – neorealism, neoliberal institutionalism and constructivism. While the general conclusion deriving from the theoretical overview is that none of these paradigms is able to explain Latvian-Russian relations sufficiently, the constructivist approach provides the most suitable framework to explain the development of these relations.

The second part of this chapter deals with Latvian-Russian relations in the context of European security. The influence of the EU and NATO enlargement on the security environment, eliminating the “gray zone” of European security, has significantly improved stability in the Baltic Sea region. For the first time in history, NATO expanded into territory occupied by the Soviet Union for fifty years. The interests of Russia to increase its influence on the European security environment are emphasized through



exploitation of lack of coherent policies among the EU members. There are also other problem areas, such as European Neighborhood Policy (ENP) or Treaty of Conventional Forces in Europe, where Latvia and Russia do not find similar opinion.

Chapter III analyses Latvian policy towards Russia. The main issue on the Latvian agenda is the recognition of occupation by the Soviet Union, which consists of the Latvian-Russian border problem, the recognition of state continuity and the issue of compensation for damage caused by the Soviet regime. While the border problem will be analyzed separately, the issue of restitution for the occupation and the evaluation of the most important questions of history will seek to answer, why the Latvian society still finds the basis of the current political agenda in the events of sixty years past. The culture of national security decision making is influenced by factors such as a lack of domestic coherence concerning attitudes towards Russia and the schism within Latvian political leadership about the perspectives of cooperation. Hence, in order to illustrate how domestic disagreements impede formulations of foreign policy in regard to Russia, the chapter deals with the most important components of the daily political agenda of Latvian political leadership of both right and left wing politics.

Chapter IV deals with Russian foreign policy towards Latvia, which is composed of three major areas, namely, the humanitarian problems and critics of Latvian policies against Russian speaking population; the economic interests of Russian energy enterprises in the Latvian transit companies and the political interests that derive from the potential increase of energy dependency of Latvia; and finally the criticism of Latvia concerning its evaluation of the outcome of World War II and the attitude towards the soldiers of the Red Army and the Latvian legion of *Waffen SS*. The chapter argues that the negative attitude of Russian foreign policy makers derives directly from the perception among their elite that Latvians do not recognize Russia as a great power and do not respect the values and interests deriving from the complexity of Russian historical heritage. The Russian population is also explicitly negative in its perception about Latvia and considers it one of the most hostile and most dangerous countries for Russians. Russia also considers the Latvian quest for “historical justice” unrealistic. Therefore, the Russian political elite is pursuing the policy which embraces economic coercion against

Latvia. In general, Russia is not interested in cooperation with Latvia if this cooperation does not create a simultaneous political gain for strengthening Russian positions in the realm of the former Soviet Union.

Chapter V is the case study of the unsigned Latvian-Russian border treaty in the context of the larger border dispute. This problem has “Janus face” that is comprised of mutually linked judicial and political disputes in which both states express opposite opinions. As argued in this chapter, the problem of the border treaty impedes the whole spectrum of cooperation between Latvia and Russia. In essence, the Latvian argument is that the dispute should be solved according to the provisions of international law that would include the reassurance of Latvian state continuity. Russia claims the need to agree on the status of current interstate borders and sign the treaty without any preconditions. Therefore, the chapter discusses the positions of both states and argumentation for decision making in terms of the link between domestic and foreign policies in both states.

The Conclusion provides an overview of findings of the thesis and discusses possible solutions and conditions in which Latvian-Russian relations could leave behind the mutual resentment from the past and concentrate on mutually beneficial cooperation, both economically and politically.

## **II. INTERESTS AND VALUES: FRAMEWORK OF LATVIAN-RUSSIAN BILATERAL RELATIONS**

### **A. NEOREALISM, INSTITUTIONALISM, CONSTRUCTIVISM: THE SCOPE OF LATVIAN-RUSSIAN BILATERAL RELATIONS**

By the beginning of the 21<sup>st</sup> century Latvian-Russian relations comprise a complex puzzle of problems embedded in the uneasy heritage of Soviet policies and discourse of post-Soviet development. Political objectives of Latvia have been directed towards integration in the EU and NATO. Russia has struggled with seeking its identity in the global and European security environment.

Scholars Robert Keohane and Joseph Nye pointed out that “contemporary world politics is not a seamless web; it is a tapestry of diverse relationships. In such a world, one model cannot explain all situations.”<sup>1</sup> Thus, none of the theories of international relations is able alone to explain all layers of relations that exist among political actors. The contemporary international relations is therefore a mixture of “rationale and rationalization, systematic presentation and symbolism that become so intertwined that it is difficult, even for policymakers themselves, to disentangle reality from rhetoric.”<sup>2</sup> These categories do not all apply to any one theory: “rationalization” is a variable of institutionalist theories, while symbolism applies to constructivism.

It is necessary to look on Latvian-Russian bilateral relations from the perspective of all three most widely used international relations paradigms, namely, neorealism, liberal institutionalism and the approach of constructivism, because each of them explains some part of these relations. At the same time, even if realism and institutionalism present strong cases in some areas of Latvian and Russian foreign policies, these theories fail to explain the roots for the formulation of interests and values of respective states. Therefore, constructivism, even though it does not describe all aspects of relations between the two states comprehensively should be considered the most explanatory theory for Latvian-Russian relations.

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<sup>1</sup> Robert O. Keohane, Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Little, Brown and Company, Boston, Toronto, 1977, 4, a similar statement has been expressed by Stephen Walt in *International Relations: One World, Many Theories*, Foreign Policy, No.110, Special Edition: Frontiers of Knowledge (Spring, 1998), 30.

<sup>2</sup> Ibid., 5.

In order to explain the framework of relationship between Latvia and Russia, this chapter deals with most important assumptions of neorealism, institutionalism and constructivism, as well as the European context of Latvian-Russian relations, and the importance of motivation for policies of both states in terms of interests and values that in both cases draw different pictures of the world and prospects for future cooperation.

## **1. Neorealism**

The core claim of neorealism (or structural realism) is that in the international system the main actors – states – compete for power in the environment, where there is no central authority; therefore the international system should be considered anarchic. More to the point, realists consider force an applicable and effective tool for implementation of policy. They also admit the existence of a hierarchy of security agendas in world politics, and on the top stand issues of military security.<sup>3</sup>

For realists, the increase of power availability results in expectations that states will use power in order “to expand its sphere of domination, whether for security, wealth or other motives.”<sup>4</sup> From this perspective, if interests contradict norms of morality, interests must prevail. Indeed, the reviving Russian economy sends a signal that the availability of resources will be translated into political capital, used to regain positions of great power. Sentimentalism does not play a role here. At the same time Latvia, albeit a much smaller state, has also grown economically and politically stronger, especially during last five years, and currently is part of the most powerful economic and military-political alliances on the globe. If the elimination of a “grey zone of security” in the Baltics supports the realist view that stability is achievable by power equilibrium – i.e., equal distribution of power in the international system, then current stability in the Baltics should be explained by the attempts of smaller states to balance Russian influence after the collapse of the Soviet Union.

The stability, however, does not necessarily mean more security. Kenneth Waltz challenges the assumption that “stable states make for a stable world.”<sup>5</sup> Even in the

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<sup>3</sup> Robert O. Keohane, Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Little, Brown and Company, Boston, Toronto, 1977, 23-24.

<sup>4</sup> Jack Snyder, *One World, Rival Theories*, Foreign Policy, Nov/Dec. 2004, No.145, 55.

<sup>5</sup> Kenneth Waltz, *Reductionist and Systemic Theories*, in *Neorealism and Its Critics*, Robert Keohane (ed.) Columbia University Press, 1986, 50.

situation that states would seek the stability without preconditions or political aims “all states would nonetheless remain insecure; for the means of security for one state are, in their very existence, the means by which other states are threatened.”<sup>6</sup>

Alastair Johnston stated that “the neorealist paradigm assumes that states are functionally undifferentiated units that seek to optimize their utility. Usually utility is unproblematically defined as power, often as capabilities and resources.”<sup>7</sup> The logic behind this is that both large states and small states have the same desire for the future, namely, to expand their capabilities and through this process, to improve their positions in the international arena.

Realists emphasize the importance of the international system on the nature of the state, because the attributes and internal characteristics of the state, taken separately, do not provide sufficient insight into the prospective foreign policies of the state. Hence, “if the international-political outcomes are determined by what states are like, then we must be concerned with, and if necessary do something to change, the internal dispositions of the internationally important ones.”<sup>8</sup> This assumption would lead to an explanation of the Latvian-Russian relations in the context of changes in the international system and particularly in changes of balance of power<sup>9</sup> with emphasis on the weakness of Russia in the 1990’s. The prediction of realism therefore is that the increase of Russian power should result in renewed power claims in the territories of former Soviet Union, and possibly beyond that. This claim could be based on the nature of Russia as an aggressive state, a claim supported by statements of Hans Morgenthau, Henry Kissinger, and Kenneth Waltz. All scholars acknowledge that states could have certain peculiar characteristics, governmental patterns, political traditions and ideologies; hence, there will always be enmity or animosity toward other states.<sup>10</sup>

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<sup>6</sup> Kenneth Waltz, *Reductionist and Systemic Theories*, in *Neorealism and Its Critics*, Robert Keohane (ed.) Columbia University Press, 1986, 51.

<sup>7</sup> Alastair Iain Johnston, *Thinking about Strategic Culture*, *International Security*, Vol., 19, No.4., 1995, 35.

<sup>8</sup> Ibid., 48.

<sup>9</sup> Jack Snyder, *One World, Rival Theories*, *Foreign Policy*, Nov/Dec. 2004, No.145, 56.

<sup>10</sup> Kenneth Waltz, *Reductionist and Systemic Theories*, in *Neorealism and Its Critics*, Robert Keohane (ed.) Columbia University Press, 1986, 94.

At the same time John Mearsheimer expressed the idea that states are not interested in balance of power concerns, because the only motivation for them is absolute hegemony.<sup>11</sup> Hegemony makes the state busy only about its own gains; the balance of power, however, requires calculations about a state's gains versus the gains of other states. According to this logic, power is not the means to survival, but "an end in itself."<sup>12</sup>

Realism diminishes the importance of international organizations and alliances; therefore, the realist assumption is that changes in alliance structures in Europe after the collapse of the Soviet Union should not be considered the decisive factor for analysis of states' bilateral relations. To put it otherwise, the role of institutions is important as long as it corresponds to the needs of great powers, but cooperation among states should be seen as "derivative from overall patterns of conflict."<sup>13</sup> Moreover, for realists, the "alliance cooperation would be easy to explain as a result of the cooperation of balance of power, but system-wide patterns of cooperation that benefit many countries without being tied to an alliance system directed against an adversary would not."<sup>14</sup> In this situation Latvia and Russia should rely on "the means they can generate and the arrangements they can make for themselves."<sup>15</sup>

Neorealists argue that "structure is certainly no good on detail... and they can explain only important and enduring patterns."<sup>16</sup> Therefore realism cannot explain some important components of Latvian-Russian bilateral relations. First, what interests actually turn Latvia towards the European security system? Even if we pay attention to the possibility of some specific mindsets about Russia's nature, pure reliance on the concept of interests would direct us towards the choice offered by irreducible interests. From the perspective of physical security, the aspirations of Latvia to be part of a European security system are based explicitly on the idea of self-preservation and a perception of

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<sup>11</sup> John J. Mearsheimer, *The Tragedy of Great Power Politics*, W.W.Norton & Company, New York, 2001, 36.

<sup>12</sup> Ibid., 36.

<sup>13</sup> Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, 2005, 7.

<sup>14</sup> Ibid., 7.

<sup>15</sup> Kenneth Waltz, *Theory of World Politics*, Reading, Massachusetts, Addison-Wesley, 1979, 111

<sup>16</sup> Kenneth Waltz, *Reductionist and Systemic Theories, Neorealism and Its Critics*, Robert Keohane (ed.), Columbia University Press, 1986, 58.

Russia as a threat. Russian perceptions of NATO as a threat should be reduced on the same concerns of physical security. While realism does not address the issue of choice in interstate relations, in the sphere of economics, Latvia would rather profit from closer ties with Russia by using the concept of “bridge between Russia and the West.” In reality, though, Latvians are not mainly concerned with the physical security of their state.<sup>17</sup> Even when throughout the 1990’s Russia threatened to invoke economic sanctions against Latvia due to its policies against Slavic minorities, Latvia remained on track towards Europe, regardless of the decrease of oil transit and obstacles for bilateral trade. Hence, the irreducible interests and desire to survive in a secure environment actually cannot explain the importance for Latvian policy “to return in Europe” after fifty years of the Soviet occupation.

Second, if we believe that animosity between Russia and Latvia is embedded in the international system and in the nature of Russian policies, we should question why the same type of behavior cannot be observed within Russian relations with other states in the previous Soviet bloc system such as Hungary and the Czech Republic. By the same principle we cannot explain why Latvia and Estonia constantly have more problematic relations with Russia, than, for example, has neighboring Lithuania. If other variables such as position in international system and internal characteristics do not differ much, Russians should be expected to treat these states similarly because of their being previous Soviet satellites. This is not the case, however, and Russia pursues a policy that is directed towards diversification of bilateral relations with neighboring countries.

Third, the whole NATO enlargement process is unnatural for realists, because with some exceptions, newcomers in NATO were militarily weak. In the case of the Baltic States the question about the potential defensibility of these states would be the most important factor before allowing Latvia to join NATO. The realist argument that Russia was too weak to resist NATO enlargement also does not seem plausible, as Russia did not resist the process, or bargain, or join the bandwagon. Therefore, explanations for the Russian position should be sought elsewhere, not in considerations of balance of

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<sup>17</sup> According to public surveys of 2004 and 2005, Latvian society places military threat only in the eighth place and only seven per cent of population considers external threats the most important. Available online at the web page of the Ministry of Defense of Latvia at [http://www.mod.gov.lv/upload/01\\_riski\\_labots.gif](http://www.mod.gov.lv/upload/01_riski_labots.gif) data for 2004 available in English at <http://www.mod.gov.lv/upload/table1.gif> accessed on April 26, 2006.

power. The political implications on changes within the alliance itself and formation of a new “policy community”<sup>18</sup> are not even in the scope of realists, and they fail to explain the implications of NATO enlargement on Latvian-Russian relations.

Actually, Latvian-Russian relations are by no means a zero sum game, contrary to realists’ claims. Latvia’s accession to NATO and the EU is not harmful for Russian irreducible interests. Quite a contrary, Russia has the most secured borders with the Baltic States. Hence, there are necessary preconditions for cooperation rather than exercise of power, and states should be interested in profiting from the stability and strengthening of their positions in the international system. The “integrationalist” development within the European security system is rather opposite to that of the unit level; the embracing of a more cooperative mode between Russia and the EU has had almost no positive effect on the Russian relations with Latvia as well as some other former communist bloc states.

Realism, thus, falls short in explaining the nature of Latvian-Russian bilateral relations. These shortfalls can be mainly attributed to determining what political interests these countries have, and what are sources of these interests. If realism could explain the nature of Latvian-Russian relations, we would see that the Waltzian argument that such characteristics as traditions of the states, ideology, and form of government are of less importance than the systemic order in which states found themselves. Thus, the distribution of capabilities among them should be considered as the most important variable. It is, however, not true in case of these relations; therefore we have to look to other theories of international relations.

## **2. Liberal Institutionalism**

The basic claim of liberal institutionalism is that progress in relations between states and nations is inevitable and that “trade and finance forge ties between nations, and democratic norms spread.”<sup>19</sup> An indivisible part of the institutionalist vision on processes in the international arena is the belief that multilateral institutions facilitate international cooperation and diminish the prospects for conflict, because “in a world of multiple

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<sup>18</sup> Giovanna Bono, *NATO’s ‘Peace Enforcement’ Tasks and ‘Policy Communities,’ 1990-1999*, Ashgate Publishing Company, Burlington, 2003, 141- 147.

<sup>19</sup> Jack Snyder, *One World, Rival Theories, Foreign Policy*, Nov/Dec. 2004, No.145, 56.



issues imperfectly linked, in which coalitions are formed transnationally and transgovernmentally, the potential role of international institutions in political bargaining is greatly increased.”<sup>20</sup> As a rationalist theory, institutionalism claims that cooperation does not mean harmony, and confrontation still may happen.<sup>21</sup> The motivation of the states to cooperate is still about self-interest, but in order to increase predictability and stability in the international system states voluntarily limit their actions within certain frameworks. It is important in this case to realize that relations between states do not eliminate conflict, but that the existence of institutions provides space for policy coordination and results in partial or total resolution of conflict.

Cooperation, from an institutionalist perspective, leads to interdependence; the larger the interdependence in the system is, the less possibility there is for conflict. The situation of “prisoner’s dilemma” in which cooperation leads to relative gains as opposed to defection, is a typical reflection of rational partnership, because cheating in the international system is a short term policy, while cooperation is a long term incentive and yet rational in nature.<sup>22</sup> From this perspective – represented by geopolitical changes in the Baltic Sea region and increasing stability in Latvia and other Baltic States – liberal institutionalism presents a very strong case. Not only have NATO and the EU facilitated the growth of democratic institutions and democratic practices in Latvian domestic political environment, the states around the Baltic Sea have been interlinked in the web of numerous frameworks of cooperation such as the Baltic Sea States Council, Council of Nordic and Baltic States, and also numerous regional cooperation projects among the Baltic States.<sup>23</sup> The range of cooperation is also very broad, starting from environmental projects and extending to military cooperation. In some of these projects Russia participates as a full-fledged member. Even if we may expect that “militarily and economically strong states will dominate a variety of organizations and a variety of

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<sup>20</sup> Robert O. Keohane, Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Little, Brown and Company, Boston, Toronto, 1977, 35.

<sup>21</sup> Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, Princeton, 2005, 51-52.

<sup>22</sup> Ibid., 73-75.

<sup>23</sup> The Baltic States throughout the 1990’s developed the set of multilateral military projects such as BALTBAT, BALTNET, BALTRON, BALTDEFCOL, BALTCCIS and others. For further information, see the web page of the Ministry of Defense of Latvia at [www.mod.gov.lv](http://www.mod.gov.lv)

issues, by linking their own policies on some issues to other states' policies on the other issues,"<sup>24</sup> the institutional framework provides a sufficient impediment to usurpation of power in the system, and unlimited aggression in the international environment is practically eliminated.

It is mentioned by some scholars that neoliberal institutionalism has not played an important role in explanation of Russian foreign policy after the collapse of the Soviet Union.<sup>25</sup> This statement contains substantial controversy. On one side, Russia is reluctant to accept the authority of existing international institutions when problem solving is required closer to the realm of the former Soviet Union. As it pertains to the Russian position towards conflict resolution in the Transdnestria or the Abkhazia, international involvement is not the most preferred among policy options. Russia tends to substitute existing international efforts with others, based on the framework of Commonwealth of Independent States, where Russia undeniably has taken political leadership.

Alternatively, Russia has often pursued policies that facilitate involvement of international institutions toward solving problems or maintaining *status quo*, for example, Russian support of nuclear non-proliferation and the authority of the IAEA. Or, for example, Russia persistently attempts to internationalize the problem of the Russian speaking population in Latvia (and in Estonia), and to make it a problem of the EU. Even if the problem as such is dubious and reflects the rational self-interest for preservation of power in the Baltic region, the framework of European security institutions is exactly the arena where not only one side has the possibility to express concerns, but also the other side has an opportunity to defend itself and both can attempt to persuade others.

The problem of institutionalism to explain Latvian-Russian relations lies in the persistent political impediment in the sphere of trade and economic cooperation. If liberal institutionalist claims concerning the separate functioning of economics (markets) and politics are correct,<sup>26</sup> then economic cooperation between Latvia and Russia should not

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<sup>24</sup> Robert O. Keohane, Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Little, Brown and Company, Boston, Toronto, 1977, 30.

<sup>25</sup> See reference No.4 in Henrikki Heikka, *Beyond Neorealism and Constructivism: Desire, Identity, and Russian Foreign Policy in Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Pennsylvania, 1999, 61.

<sup>26</sup> Robert Gilpin, *The Political Economy of International Relations*, Princeton University Press, Princeton, New Jersey, 1987, 26-27.

suffer, or at least be little influenced by political discrepancies. Business interests for cooperation that delivers mutual gains would be observed. Instead we see economic policies of Russia inextricably linked to political relations, and even the most beneficial areas of cooperation are severely bound by administrative and bureaucratic procedures. In this situation, every political problem has the potential to jeopardize long term positive prospects and degenerate into a game of “chicken” – i.e., extremely destructive relations, where self-interest eventually disregards the role of cooperation. This problem is even more explicit in the context of overall improvement in cooperation between the European states and Russia.

Even with the powerful presentation and influence of international institutions in the European security arena, Latvian-Russian relations stagnate especially in those areas where institutionalism promises the most success, namely, resolution of problems by closer cooperation. In Latvian-Russian relations the policy coordination is an unachieved goal between two states. At best we can locate only few areas in the whole spectrum of cooperation where governments have regular and productive contacts that result in cooperative and thus less confrontational behavior.<sup>27</sup>

The essence of liberal institutionalism is not about prevention of conflict in the international system; it is about enhancement of understanding, trust and cooperation among actors within the system. The Latvian-Russian bilateral relations fail to succeed in these cases. Neither state entirely understands the motivation for other's actions, nor there is trust among partners. The result is that cooperation is rather limited to periodic political contacts which do not result in significant improvements policy wise over time. Even though both states are members in the majority of European political and economic institutions, the solution of their relations remains largely their bilateral concern. Therefore, liberal institutionalism also fails to explain the framework of the bilateral relations between Latvia and Russia.

### **3. Constructivism**

At the top of the constructivist approach stands the assumption that there are multiple identities within every state, which form some specific social reality; the interests of the states

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<sup>27</sup> These areas are, for example, the culture relations, border cooperation and fighting trans-border crime.

are defined according to these realities. Constructivists challenge the anarchy environment saying that “self-help and power politics are institutions, not essential features of anarchy. *Anarchy is what states make of it.*”<sup>28</sup>

According to constructivists, states usually look toward “balance of threats” contrary to the realist “balance of power.”<sup>29</sup> By this assumption constructivists maintain that the perception of security has been constructed by the socially motivated assumptions towards threats. Hence, they emphasize the importance of values in which concepts of national interest take more priority, in which “principles, identities, norms of behavior or terms of discourse... shape preferences, actors and outcomes.”<sup>30</sup> Therefore constructivists would seek the roots of bilateral problems as well as prospects for their solutions not in the distribution of power in the international system or in expectations of gradual improvement of institutional cooperation, but in interaction of multiple sets of values in both states. This interaction leads to understanding of motivation, and through this, towards an improved picture of perceptions and less hostile environment. This approach also leads towards seeking explanations for policy formulation into the realm of domestic agency and particularly into the role of the elite class – how its values and interests influence policy. As it is pointed out by one expert, “the elites are in a strong position not only to channel perceptions into domestic and interstate relations, but also deliberately or unintentionally to shape, manipulate and even create them.”<sup>31</sup>

Nevertheless, at the point of the collapse of the Soviet Union, both states found themselves in categorically different positions. For the Latvian desire to be part of Europe and identification with European values was not disputable in society and within the political elite. Even more, Europe was the only alternative for everything experienced in the Soviet Union. Therefore, Latvia as part of Europe is not only a political and cultural option; it is also a synergy of European values. It is also obvious that Latvia’s integration into NATO and the

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<sup>28</sup> Alexander Wendt, *Anarchy is what states make of it: the social construction of power politics*, *International organization*, Vol. 46, No.2, Spring 1992, 395.

<sup>29</sup> Reference to Stephen Walt in Alexander Wendt, *Anarchy is what states make of it: the social construction of power politics*, *International organization*, Vol. 46, No.2, Spring 1992, 395.

<sup>30</sup> Martha Finnemore, *National Interests in International Society*, Cornell University Press, Ithaca, 1996, 15.

<sup>31</sup> Andris Sprūds, *Minority Issues in the Baltic States in the Context of the NATO Enlargement*, NATO Individual Research Fellowship, Abstract of Final Report, available online at [www.nato.int](http://www.nato.int) accessed on February 25, 2006.

EU is not solely based upon broadly defined national interests. Latvia “re-joined Europe” as an integral part of a community of shared values, in which liberal democracy and free market matters. From this perspective Latvian policies are naturally pro-Western, either in the European or Transatlantic sense.

Russia, on the other hand, discovered that after the geopolitical changes of the early 1990’s the new state had gained sovereignty, but its former identity had disappeared entirely with its status. The quest for a new identity continues until this day; though the current leadership espousing the ideology of *derzhavnost* (great state) based on “a call to create [a] strong, paternalist and to some extent expansionist state” is hardly deniable.<sup>32</sup> This approach, being close to “enlightened patriotism,”<sup>33</sup> calls for a unique Russian synthesis of values and interests in international politics, that does not, however, exclude cooperation and coming nearer to Europe. Therefore, the contrast to “Westernism” is foundational to the uniqueness of contemporary Russian identity, and instead of a desire to embrace value driven cooperation, Russia’s cooperation with European states is based on a mercantilist interest of cooperation in certain segments of economics and security. The contradiction between value driven foreign policy of Latvia and “unsentimental and realistic”<sup>34</sup> interest of Russia are in conflict about fundamental conditions. The balance between values and interests will only then provide the agreement between states, when they will be in some equilibrium.

It is also important to see Latvian-Russian relations from the perspective of changes of state and social institutions within both countries, because if “norms shape interests,”<sup>35</sup> the changes within Latvian and Russian societies should point to the difference of value formation. Here also differences are important. After regaining of independence in 1991, Latvia created a set of principally new state institutions such as civil service, separations of church and state, and uniformed services from the politics. Thus bureaucratic politics and

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<sup>32</sup> Sergei Medvedev, *Power, Space, and Russian Foreign Policy*, in *Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Penn., 1999, 42.

<sup>33</sup> “Enlightened patriotism” is the term used by Russian political ideologist Sergei Kortunov in article *Natsionalnaya Sverkhzadacha: Opyt Rossyskoy ideologii*, *Nezavisimaya gazeta*, October 7, 1995, see deeper analysis of Kortunov’s position in Henrikki Heikka, *Beyond Neorealism and Constructivism: Desire Identity, and Russian Foreign Policy*, in *Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Penn., 1999, 93.

<sup>34</sup> Sergei Medvedev, *Power, Space, and Russian Foreign Policy*, in *Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Penn., 1999, 46.

<sup>35</sup> Martha Finnemore, *National Interests in International Society*, Cornell University Press, Ithaca, 1996, 28.

civil-military relations, although not without problems, were put in the “European perspective.” Meanwhile in Russia institutional change has been by no means less impressive. New constitutional order and economic policies created new relations within Russian society. The important notion of freedom, for example, is one of the attributes of Russian Westernization and modernization. This, as observed by Sergei Medvedev, has always taken “the form of catastrophe”<sup>36</sup> due to denial of past and existent societal culture. Therefore societal changes in Russia were bound by the need to govern the space with strong leadership that has led to “attempts to recreate a hierarchical vertical of post-Soviet space.”<sup>37</sup>

Hence, Russian policies are driven not by any inherent national interests; these interests have been formed out of concerns about “right” and “wrong” concerning Russian attempts to persuade other former Soviet republics to keep close ties with Russian world. Those who reject “Russian right” (such as the Baltic States) do not have any other choice left than to be considered “wrong.” When we see that the Russian public in general sees Latvians as their greatest enemies in the world,<sup>38</sup> the conclusion should be drawn that these sentiments inevitably will find manifestation in Russian policies. This assumption leads to understanding of policy making as a process, which corresponds to the ruling stream of values among the political elite and domestic society. Hence, interests can be shaped by the changes in domestic political values.<sup>39</sup>

Even though constructivism seems to explain the basic problems of Latvian and Russian relations, it also has some shortfalls. For example, if we assume that relations between Latvia and Russia are driven by mutually negative perceptions, there is no clear answer what constructs and methods may be able to change the situation. Changing perceptions is the most difficult and lengthy process in the constructivist concept. At the

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<sup>36</sup> Sergei Medvedev, *Power, Space, and Russian Foreign Policy*, in *Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Penn., 1999, 50.

<sup>37</sup> Ibid., 39- 45.

<sup>38</sup> The public polls in the spring of 2005 in Russia revealed that Latvia and Estonia is among four states Russians see as greatest enemies. Latvia is first with 49 per cent, second was Lithuania with 42 per cent. Georgia was third (38 per cent) and Estonia fourth (32 per cent). See the web page of news agency RIA-NOVOSTI at <http://en.rian.ru/analysis/20050621/40562651.html> accessed on December 4, 2005.

<sup>39</sup> The changes do not necessarily have to be domestic. The values of the political elite can be also shaped by the changes in the international system or domestic changes in other countries. These changes have been particularly carefully studied by the scholars of strategic culture. See, for example, Alastair Iain Johnston, *Thinking about Strategic Culture*, 1995, 46 or Ben Lombardi, *Strategic culture*, available online at the web page of Canadian National defense at [http://www.forces.gc.ca/admpol/eng/doc/strat\\_2003/sa03\\_17\\_e.htm](http://www.forces.gc.ca/admpol/eng/doc/strat_2003/sa03_17_e.htm) accessed on March 14, 2006.

same time in liberal democracies the continuity of policies is not guaranteed, even if politicians would pursue such a desire. Moreover, expecting changes of perception as a result of interaction of values should not be overestimated, because this process does not necessarily bring common understandings of problems. As we see in the Latvian-Russian case, living in one country for almost 45 years did not facilitate better understanding of motivation and identities in both countries remained rather contradicting. Therefore, the contrast created by different approaches in the past (one of the sources of “right” and “wrong”) is able to impede prospects for cooperation even if rational assumptions for cooperation would suggest to institutionalize cooperation and pursue mutual gains.

To sum up, none of these three paradigms of international relations can fully explain the nature of Latvian-Russian relations. The complexity of contemporary international relations do not allow for easy explanations of state relations. In order to understand these puzzles, we have to use and combine all theories of international relations that would include interests, values and institutions in the web of invisible and indivisible ties.

## **B. LATVIA AND RUSSIA IN THE CONTEXT OF EUROPEAN SECURITY**

Notwithstanding the differences between Latvian and Russian views on the security environment in Europe and its development, both states had throughout the 1990's shared aspirations for cooperation and deeper integration with European institutions. Latvia and its Baltic neighbors Lithuania and Estonia were the first states to leave the Russian sphere of influence; the notion of integration, however, was understood differently in Riga and Moscow. For Latvia, integration into the European security structures meant membership in the EU and NATO.<sup>40</sup> For Russia, aspirations for cooperation were directed more to cooperation “in the economic, political, humanitarian, security and military fields.”<sup>41</sup> Russia considers the EU one of the its most important political and economic partners and will pursue the development of intensive, persistent and long term cooperation, which do not consist of conjuncture fluctuations.<sup>42</sup>

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<sup>40</sup> Foreign Policy Concept of Latvia, online on Latvian at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/lv/Arpolitika/4294/> accessed on April 26, 2006.

<sup>41</sup> Pilar Bonet, Public Opinion and Pro-Western Interest Groups in Russia in Russia's Engagement with the West: Transformation and Integration in the Twenty-First Century, Alexander J. Motyl, Blair A. Ruble and Lilia Shevtsova, (ed.) M.E. Sharpe, Armonk, New York, 2005, 90.

<sup>42</sup> Foreign Policy Concept of Russian Federation, online in Russian at the web page of the Ministry of Foreign Affairs of Russia at <http://www.mid.ru/ns-osndoc.nsf/osndd> accessed on April 26, 2006.

The agenda of Latvian-Russian bilateral relations only partially corresponds to the agenda of the EU-Russian relations, and consists of a few sets of political and economic issues. The most important of them is the problem of economic cooperation, impeded by Russian inclinations to acquire the Latvian energy transit enterprises. Russians especially emphasize the issue of human rights of the Russian speaking population in Latvia. The most sensitive part of the bilateral agenda is the issue of an interpretation of the past that includes the recognition of Latvian occupation, the border dispute between both states, as well as the attitude of Latvian authorities towards the direct participants in World War II. It is important that these questions are emphasized differently by both states.

Recent EU-Russian relations have developed a primary agenda that includes energetic cooperation and easement of visa restrictions, as well as secondary agenda areas such as transit from Russia to the enclave of Kaliningrad and, as emphasized by Russia, the “humanitarian situation in Latvia and Estonia.”<sup>43</sup>

In terms of economic cooperation, Russia and the EU are the important trade partners; more than half of all Russian trade takes place with the 25 members of the EU. The energy sector is the largest sector of economic cooperation, comprising 20 percent of European oil imports and more than 40 per cent of gas imports.<sup>44</sup> Such a trade structure makes Russian-European relations asymmetric, because importing raw materials, Europeans export back to Russia consumer goods and industrial products. At the same time, as stated by some scholars, “foreign economic policies touch more domestic economic activity than in the past, blurring the lines between domestic and foreign policy and increasing the number of issues relevant to foreign policy,”<sup>45</sup> Lately Russia has been interested in increasing its presence in the European energy market by purchasing energy enterprises. In this case the Latvian situation is similar to the broader European one, by which the EU states are reluctant to turn their energy supplies and distributors into the

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<sup>43</sup> See position of the Russian government at the web page of the Ministry of Foreign Affairs of Russia at <http://www.ln.mid.ru/ns-vnpop.nsf> accessed on April 28, 2006.

<sup>44</sup> See data at the web page of the Ministry of Foreign Affairs of Russia at <http://www.ln.mid.ru/ns-vnpop.nsf> accessed on April 28, 2006.

<sup>45</sup> Robert O. Keohane, Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Little, Brown and Company, Boston, Toronto, 1977, 26.



hands of Russian-owned businesses. This reluctance caused Putin's statement that Russia feels endangered in European energy markets and therefore might consider other directions for cooperation.<sup>46</sup>

The EU-Russian agenda regularly goes beyond the question of cooperation into the prospects of integration. This idea is behind the formation of common spaces of economic cooperation, freedom, justice and external security agreed upon during EU-Russia summits in 2003 and 2005. Moreover, the National Indicative Program (NIP) directly speaks to this issue:

Support to the further integration of the EU and Russian economies is an essential component of the NIP, aiming to help removing non-tariff barriers to trade and investment through the progressive approximation of relevant Russian legislation with the *acquis communautaire*.<sup>47</sup>

The unknown variable here is that the understanding about such agreements is different among the EU member states, and the coherence of this position with that of the European Commission and Russian leadership. The lack of coherent European position in regard to the implementation of economic cooperation emphasizes the institutionalization of EU-Russian relations rather than the political content. As stated by some analysts,

the first, communitarian pillar (of the EU), is mostly governed by qualified majority voting while unanimous decision making prevails in the EU's intergovernmental second pillar. Thus, trade and economy (first pillar) is separated from foreign policy (second pillar).<sup>48</sup>

Therefore, the lack of positional unity among the EU states is extremely welcoming for Russia, because relations with France, Germany and Great Britain play the most important role for Russia, not only because these are the largest and politically most influential states in the EU, but because the agreement with these three, if achieved easily, can become a desired practice for Russian foreign policy makers. As pointed out

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<sup>46</sup> Putin's statement in press conference together with the German Chancellor Angela Merkel, April 27, 2006. excerpts available online at the web page of the President of Russia at <http://www.kremlin.ru/sdocs/appears4.shtml?type=63380> accessed on April 28, 2006.

<sup>47</sup> National Indicative Program (2004-2006) of the EU in relations with Russia Federation adopted by the European Commission on May 21, 2003, Brussels, 3, available online at the portal of European Commission at [http://europa.eu.int/comm/external\\_relations/russia/csp/04-06\\_en.pdf](http://europa.eu.int/comm/external_relations/russia/csp/04-06_en.pdf) accessed on April 26, 2006.

<sup>48</sup> Ania Krok-Paszkowska, Jan Zielonka The European Union's Policies Toward Russia in Russia's Engagement with the West: Transformation and Integration in the Twenty-First Century, Alexander J. Motyl, Blair A. Ruble and Lilia Shevtsova, (ed.) M.E. Sharpe, Armonk, New York, 2005, 153.

by one Russian analyst, “Russia is objectively interested in maintaining the current uncertain and unstructured security arrangement that took shape in Europe in the wake of the Cold War as long as possible – preferably until the economic upsurge in Russia expected by the middle of the next decade.”<sup>49</sup>

There are other two political processes in which the EU and Russia are trying to develop some harmonization of cooperation, namely, the European Security and Defense policy (ESDP) and the European Neighborhood Policy (ENP).

In the context of ESDP, interestingly, the founding Latvian security policy documents do not give clear guidance where Latvian interests lay and which vector Latvian security policy is taking. For example, the National Security Concept emphasizes reliance on strengthening NATO capabilities and active participation in the formulation of EU defense policy. Where exactly Latvian interests appear in the Union’s defense policy development remains unexposed.<sup>50</sup> The European context of Latvian defense policy after the EU enlargement, according to the current Defense Policy Concept still emphasizes cooperation with EU decisions, not participation in its defense policy planning and implementation. Nothing is said about ESDP in “Latvia in European Union” strategy<sup>51</sup> or in the description of the Latvian position towards European Common Foreign and Security Policy.<sup>52</sup> As observed by political scientist Žaneta Ozoliņa, analysis of these documents leave an impression that Latvian membership in the EU and NATO “was needed to change the security environment, but not as a long-term, multifunctional security working environment, that provides domestic stability.”<sup>53</sup>

For Russia cooperation with the EU on security matters such as the fight against terrorism or Middle East developments such as the Palestinian-Israeli conflict or the Iran

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<sup>49</sup> Sergei Medvedev, *Power, Space, and Russian Foreign Policy*, in *Understandings of Russian Foreign Policy*, Ted Hopf (ed.), The Pennsylvania State University Press, University Park, Penn., 1999, 46.

<sup>50</sup> See paragraph 2.2. Latvian National Security Concept, available online at the web page of the Ministry of Defense of Latvia at [www.mod.gov.lv](http://www.mod.gov.lv) accessed on April 26, 2006.

<sup>51</sup> Available online at the web page of the Ministry of foreign Affairs of Latvia at <http://www.am.gov.lv/en/eu/EuStrategy/> accessed on April 28, 2006.

<sup>52</sup> Available online at the web page of the Ministry of foreign Affairs of Latvia at <http://www.am.gov.lv/lv/eu/3985/#6> accessed on April 28, 2006.

<sup>53</sup> Interview with Dr. prof. Žaneta Ozoliņa, May 16, 2006.

nuclear problem takes the form of a triangle with the participation of the United States.<sup>54</sup> Therefore, the Russian interest in ESDP development and possible participation in civilian and military crisis prevention in particular, is not entirely clear. The cooperation with the EU in security matters strengthens the Russian position on the global stage, but whether Russians will be eager to cooperate more than to act exclusively according to their own agenda, has yet to be answered.

In regard to ENP, Latvian and Russian interests intersect even more directly. For Latvia, the regionalization of security cooperation is well established, starting from early 1990 when the Baltic States created their military cooperation projects. The accumulated experience is now valuable enough to be used for integrating the states of Eastern Europe. Latvia, according to its foreign policy guidelines, is interested in assisting “states in between”<sup>55</sup> in their transition efforts towards democratization and deeper political and economic integration, as well as facilitating shared values. The EU policy stipulates that the ENP is designed to give new impetus to cooperation with the EU’s neighbors following enlargement.<sup>56</sup> In ENP practice though, cooperation with Ukraine, Georgia and Moldova means facilitating the escape of these countries from the sphere of influence of Russia, which speaks against so-called “colored revolutions” in the post-Soviet realm. Furthermore, Latvia and Russia by nature disagree concerning the attitude towards Lukashenka’s regime in Belarus. Latvian Deputy of European Parliament Valdis Dombrovskis claimed that this status “makes Latvia visible in European politics.”<sup>57</sup> Latvia represents European interests in “the last dictatorship of Europe” in the moment when the EU position is to exercise maximum diplomatic pressure on the Belarus regime. This policy has been criticized by Russian leadership by statements that problems should

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<sup>54</sup> Viktor Kremenyuk, *Changes in European Security: A Russian view*, available online at the web page of European Security Forum at <http://www.eusec.org/kremenyuk.htm> accessed on April 28, 2006.

<sup>55</sup> Belarus, Ukraine and Moldova after NATO and the EU enlargement geopolitically are “states in between” Russia and these two alliances. See the detailed description of this concept in Oleksandr Pavliuk, *Russia’s Integration with the West and the States “in Between,”* in *Russia’s Engagement with the West: Transformation and Integration in the Twenty-First Century*, Alexander J. Motyl, Blair A. Ruble and Lilia Shevtsova, (ed.) M.E. Sharpe, Armonk, New York, 2005, 185-205.

<sup>56</sup> See the web page of the European Commission at [http://europa.eu.int/comm/world/enp/pdf/strategy/strategy\\_paper\\_en.pdf](http://europa.eu.int/comm/world/enp/pdf/strategy/strategy_paper_en.pdf) accessed on April 28, 2006.

<sup>57</sup> *Neatkarīgā Rīta Avīze*, Rīga, Latvia, April 29, 2006.

be solved by inclusion, not exclusion.<sup>58</sup> The Latvian ENP mission in Belarus is important for Latvian foreign policy and for European security and therefore has more positive gains, for example, increase of regional authority, than possible negative costs influencing Latvian-Russian relations.

It would be wrong, however, to reduce Russian relations with European states only to the context of the EU agenda. There are also important relations between Russia and NATO. The last four years have brought this cooperation to the more institutionalized level by creating the NATO-Russia Council (NRC), which facilitates partnership in fighting terrorism and political consultations on regional security issues. As it is stated by NATO, “practical cooperation, directed by the NRC and developed through various subordinate working groups and committees, is already generating concrete benefits in many key areas.”<sup>59</sup> In this context Russian officials consider cooperation with NATO a success in creating new European security architecture. Russian Deputy Minister of Foreign Affairs Alexander Glushko describes that

there currently operate under the aegis of the RNC about 20 committees, working and expert groups...A special priority is forging cooperation under the aegis of the RNC in the struggle against terrorism (exchanges of information and advanced experience, training and practice exercises of antiterrorist units, and reinforcing the security of air and marine transport, the subway and other facilities of critical infrastructure).<sup>60</sup>

These descriptions as well as other Russian sources do not speak about cooperation with the new members of NATO. Some Russian officials, on the contrary, have been rather unimpressed with the possible NATO military buildups in Poland and Bulgaria. Therefore, to consider NATO-Russian relations unproblematic is not accurate.

Latvian political analysis and government documents also in this case do not address the cooperation with Russia within the NATO-Russia Council framework. The

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<sup>58</sup> See the statement of Russian foreign minister Sergei Lavrov at news agency LETA news report at [www.leta.lv](http://www.leta.lv), April 28, 2006, accessed on May 21, 2006.

<sup>59</sup> See the web page of NATO at <http://www.nato.int/issues/nato-russia/index.html> accessed on April 26, 2006.

<sup>60</sup> Alexander Glushko *The Euro-Atlantic Vector of Russian Foreign Policy*, available online at the web page of Russian Ministry of Foreign Affairs at [http://www.mid.ru/brp\\_4.nsf/itogi/E9EC2DC520605B1FC32570E600427FFC](http://www.mid.ru/brp_4.nsf/itogi/E9EC2DC520605B1FC32570E600427FFC) accessed on April 29, 2006.

military cooperation between both states has been traditionally inactive and is currently limited to isolated visits of officials within the larger NATO delegations and events.

Eventually, in the context of European security, the area that concerns Russia most is the broader issues of arms control and disarmament. Russia points to the unwillingness of the Baltic States to sign the CFE Treaty. Russians are concerned that the Baltic States and Latvia in particular could become uncontrolled territories for the deployment of NATO forces.

These disagreements are admitted also by the Latvian government. According to the provisions of the adapted CFE Treaty, it must be ratified by all signatories of the treaty in order to come into force.<sup>61</sup> The biggest problem, according to the Latvian position, is Russian reluctance to sign the adapted version of the Treaty. Currently NATO members have developed a unified position towards Russia, which claims that “ratification by NATO Allies of the Adapted Treaty is awaiting Russia's compliance with adapted CFE flank provisions and continued fulfillment of its Istanbul summit commitments regarding withdrawals of Russian forces from Georgia and Moldova.”<sup>62</sup> The Latvian Ministry of Defense considers the CFE Treaty “a cornerstone element for facilitating the openness and trust between European states; therefore Latvia is interested in accurate implementation of the treaty provisions, and is ready to sign the treaty immediately after the necessary procedures are implemented by Russian side.”<sup>63</sup>

Russia maintains the position that all provisions of the adapted CFE Treaty have been fulfilled including withdrawal from Georgia that according to the agreement with its government will be completed by the end of 2008.<sup>64</sup> Thus, the West imposes “double standards” on Russia, because link between ratification of the CFE Treaty and actions in Georgia and Moldova is taken out of the context of security process in Europe and is

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<sup>61</sup> The Agreement on adaptation of CFE Treaty was signed on November 18, 1999 in Istanbul, Turkey, see the detailed description of provisions of the treaty at the web page of the Monterey Institute of International Studies at <http://cns.miis.edu/pubs/inven/pdfs/cfe.pdf> accessed on April 28, 2006.

<sup>62</sup> The position of the State Department of the United States towards CFE Treaty, online at <http://www.state.gov/t/ac/rls/fs/11243.htm> accessed on April 28, 2006.

<sup>63</sup> Interview with Andžejs Viļumsons, Director of Defense Planning and Policy Department of the Ministry of Defense of the Republic of Latvia, December 9, 2005.

<sup>64</sup> Speech of the Head of Russian delegation at negotiations in Vienna concerning the military security and arms control V. Chernov, Vienna November 22, 2005, available online at the web page of the Ministry of foreign Affairs of Russia at <http://www.mid.ru/ns-dvbr.nsf/dveuro> accessed on April 28, 2006.

therefore “ill-founded and counterproductive.”<sup>65</sup> The discrepancies have resulted in statements about the possibility of Russian withdrawal from the CFE Treaty.<sup>66</sup>

### **C. INTERESTS AND VALUES: WHERE WILL THE PENDULUM SWING?**

Having examined the main paradigms of international relations, it is clear that neither realism, nor liberal institutionalism nor constructivism is able to explain the nature of Latvian-Russian bilateral relations. At the same time it is also important to emphasize that constructivism seems closest to explaining the animosity, differing perceptions, and unfriendly policies that characterize Latvian-Russian relations. Therefore the approach of value driven interests seems applicable to the analysis of Latvian-Russian bilateral relations better than realism with its self-regarded interests of survival or neoliberal institutionalism with its concept of complex interdependence as the main components for policy formulation. From this perspective, it is important to explore domestic political development and its influence on foreign policy formulation in Latvia and Russia. Therefore, these developments will be analyzed in detail in the following chapters of the paper.

In light of the domestic conditions, Russia still has to be considered a huge body with an unstable foundation and unpredictable nature. Even though Putin’s administration makes Russia stronger, for Latvia, as the immediate neighbor, there is still too much unpredictability and uncertainty. This is reflected by both states’ perceptions of the other that are neither true nor friendly. Uncertainty, however, does not derive from the nature of Russian state, but from discourse of the quest for Russian identity and interests in the global world that still continues.

If “Russia’s integration with the European Union may well lead via Kyiv, Vilnius and Warsaw rather than directly via Brussels,”<sup>67</sup> then the animosity between Latvian and Russian political elites is an important factor that prevents such integration. Therefore the

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<sup>65</sup> Speech of V. Chernov, Vienna November 22, 2005, available online at the web page of Russian Ministry of Foreign Affairs at <http://www.mid.ru/ns-dvbr.nsf/dveuro> accessed on April 28, 2006.

<sup>66</sup> For example, in the statement on January 2006, Russian Defense Minister Sergei Ivanov directly linked such an option with the ratification of the Treaty by the Baltic States. Source: official information of the Ministry of Defense of Latvia, presented during the interview with Andžejs Viļumsons on December 9, 2005.

<sup>67</sup> Ania Krok-Paszkowska, Jan Zielonka *The European Union’s Policies Toward Russia in Russia’s Engagement with the West: Transformation and Integration in the Twenty-First Century*, Alexander J. Motyl, Blair A. Ruble and Lilia Shevtsova, (ed.) M.E. Sharpe, Armonk, New York, 2005, 153.

idea about the “economic integration 'spilling over' in political and eventually in security integration”<sup>68</sup> is too idealistic and thus misleading in the particular context of Russian relations with the former satellites. Perception, then, will play a crucial role in future Latvian-Russian relations. The danger here should be expected from appearances of spirals of hyper-negativity among the elites – i.e., the situation in which the political leadership in both states is not able (or is not willing) to find a positive agenda that facilitates the changing perceptions of the neighboring nation’s society. Moreover, it is even not clear whether current Latvian-Russian relations are not in one such trap.

In fact, Latvia and Russia are in a similar situation to opponents in the Arab-Israeli conflict, where “each side tends to believe that any ‘good’ behavior by the opponent has been forced on him by situational factors and that opponent’s ‘bad’ behavior toward the respondent’s side springs from the opponent’s negative dispositions, not situational factors.”<sup>69</sup> To paraphrase, positive development in these relations has a tendency to be explained by changes in partners’ dispositions (i.e., genuine willingness to cooperate) and negative development usually has been explained by situational factors (for example, impediments of domestic or bureaucratic politics).

To sum up, it is obvious that for Latvia bilateral relations with Russia are more important than relations with Latvia are for Russia. This also means that the Russian agenda with the EU has the potential to influence Latvian-Russian relations more than Latvian ability to influence agenda setting in the EU towards Russia. The tendency of Russian foreign policy makers to develop the concepts of “good” EU and NATO partners versus “bad” EU and NATO partners should be considered worrying for establishing a coherent position in areas such as external relations, in the ENP as well as broader economic and political cooperation. Nonetheless, Latvian and Russian relations will not necessarily develop along the general lines of European-Russian cooperation because issues that are unique to Latvian-Russian relations do not generally fall into the purview of the EU agenda. The problems of Latvian-Russian relations, however, if unsolved, have the potential to transform into problems on the scale of European-Russian relations.

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<sup>68</sup> Stephan De Spiegeleire, *Recoupling Russia: Staying the Course Europe's Security Relationship with Russia* available online at the web page of European Security Forum at <http://www.eusec.org/spiegeleire.htm> accessed on April 29, 2006.

<sup>69</sup> Alexander George, *Presidential decisionmaking in foreign policy*, Westview press, Inc. Boulder, Colorado, 1980, 59.

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### **III. LATVIAN DOMESTIC POLITICS AND FOREIGN POLICY TOWARDS RUSSIA: THE INFLUENCE OF GHOSTS OF THE PAST**

#### **A. A SCOPE OF THE PROBLEM**

After the period of Soviet occupation was over, bilateral relations between Latvia and Russia were renewed in 1991. Starting from the first days of regained independence, the Latvian political elite and society at large found themselves at odds on historical issues of the consequences of World War II and fifty years of the Soviet governance in Latvia. This agenda has changed surprisingly little during fifteen years of independence. The controversies in interpretations of history in regard to diplomacy and military actions of Latvian and the Soviet officials from 1939 to 1946 spilled over from a mere historical dispute to the political agenda, and played an important role in every cycle of Latvian parliamentary elections.

The enlargement of NATO and the EU has changed the international system. Nevertheless, the foreign policy of Latvia towards Russia after these enlargements has not been significantly affected. Foreign policy documents as well as government actions allow for very limited insights into the real intentions of the Latvian political elite concerning policy objectives towards Russia. The evidence from media reports, articles, and speeches provides a more complete picture of the sentiments and political culture determining policy options and choices. These are bound by the hard choice whether to use history for political gain or to leave the historic resentments behind.

The option that would prescribe the repudiation of history as a precondition of normalization of bilateral relations, however, should not be considered self evident in the case of Latvia. In regard to its past, the Baltic States by and large do not differ much from others in the former Communist block. The same dramatic choice between “whitewash and witch-hunt, amnesty and amnesia, justice and vengeance”<sup>70</sup> has had continuity throughout the years after 1991. As Tina Rosenberg stated, there is a ghost of the past in every European country. The KGB agents and process of lustration, crimes of the Soviet regime against the Latvian people, settlements of immigrants, territorial disputes and the role of Latvian soldiers under flags of foreign empires, are all Latvian “ghosts of the

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<sup>70</sup> Tina Rosenberg, *The Haunted Land: Facing Europe's Ghosts After Communism*, Vintage books, A Division of Random House, Inc., New York, 1996, xviii.

past.” The extensive discussions about the 60 years old history have contributed to the schism within the Latvian society that is mirrored in the parliamentary composition. The reconciliation over the ideological positions and over the unmastered past seems hardly possible in the foreseeable future. Dominating the media and politics, issues such as demands for condemnation of occupation by Russia, the deadlock over the future of the Abrene district and the overall victimization of historical experience create an impression that Latvian society persistently “lives in the past.”

This chapter deals with the link between domestic disputes over the issues of past and the formulation and implementation of foreign policy towards Russia. The chapter contains two claims. First, the Latvian foreign policy towards Russia is not formulated sufficiently and lacks coherence among the political elite. Without unity among the political actors concerning the objectives of foreign policy towards the eastern vector the actions of Latvian diplomacy will be heavily influenced by an *ad hoc* approach and thus much larger dependence on fluctuations in the systemic level of international relations. Second, the inability of political actors to reach a consensus on the historical heritage of the Latvian state impedes the formation of a consolidated and modern Latvian nation and reflects the implementation of solid foreign policy towards Russia.

## **B. DOMESTIC POLITICS AND DEBATE ON HISTORY**

Latvia is a typical democracy of Central and Eastern Europe with a broad representation of political parties in the parliament.<sup>71</sup> Political actors in the parliament seem significantly divided by the ethnicity of the deputies.<sup>72</sup> The absence of ethnic Russians politicians in the right wing political spectrum and its leading organizations on the domestic political stage conveys the image that they predominantly support leftist ideas – i.e., they favor strong government involvement in the economic processes and social egalitarianism, and, peculiar to Latvia, also closer relations with Russia. Usually,

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<sup>71</sup> The distribution of seats in the current Parliament of Latvia has been split as following: Right wing parties: *Jaunais laiks* (The New Era); *Tautas partija* (Peoples Party); *Tēvzemei un Brīvībai* (For Fatherland and Freedom). Centrist Parties: *Latvijas Pirmā partija* (Latvian First Party); *Zaļo un Zemnieku savienība* (The Union of Greens and Farmers). Left wing parties: ‘*Saskaņas centrs*’ (Concord Centre), *Par Cilvēka tiesībām vienotā Latvijā* (For Human rights in United Latvia); *Latvijas Sociālistiskā partija* (Socialist party) Source: the web page of Parliament of Latvia at [www.saeima.lv](http://www.saeima.lv) accessed on February 8, 2006. Three parties: *Tautas partija*, *Latvijas Pirmā Partija*, *Zaļo un Zemnieku savienība* comprise the minority government as of June 2006.

<sup>72</sup> For the purpose of this thesis only the differences between non-Latvians and ethnic Russians have been drawn, although the non-Latvian population is neither mono-ethnic, nor politically a monolith.

the social agenda for leftist movements is always more important than the “national.” In light of the persistent weakness of a social-democratic movement (here Latvia is rather an exception to other European states), the “leftists,” however, promote the political agenda of the non-Latvian population, which makes their leftist positions rather dubious.<sup>73</sup> The programmatic goals of these parties are directed toward the cultural autonomy of Russians in regions or cities where they comprise a majority of the population; or towards the softening of citizenship law that would allow non-Latvians to become citizens of Latvia without the currently existing preconditions.<sup>74</sup> Since “leftist” goals directly mirror the criticism of Russia against Latvia concerning the treatment of minorities and status of the Russian language, the right wing parties see the opportunity to accuse their political opponents of being unpatriotic and working in the interests of non-friendly states.<sup>75</sup> Moreover, active incorporation of former antagonists to Latvian independence reinforces the perception of leftist parties as hostile to Latvians and the state’s independence.<sup>76</sup> From this perspective the rhetoric of right wing conservatives and moderates concerning the threats to the Latvian language and Latvian ethnos as a whole was successfully used to mobilize the masses in the late 1980’s, and again appeared to be effective after Latvia

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<sup>73</sup> In order to support this statement the programs of political parties represented in the current parliament in the sphere of social policies have been compared. Actually, the political objectives in this case differ very little. All researched parties claim social support to the population as a moral responsibility of the state, thus making their ideological boundaries blurred. Therefore, the “leftist” social agenda must be seen in the context of its political aims, which is directed to the specific segment of the Russian speaking population. Data obtained from parliamentary party web pages at [www.jl.lv](http://www.jl.lv), [www.tp.lv](http://www.tp.lv), [www.pctvl.lv](http://www.pctvl.lv), [www.tb.lv](http://www.tb.lv), [www.lpp.lv](http://www.lpp.lv) Accessed on February 8, 2006.

<sup>74</sup> The current Citizenship Law demands knowledge of Latvian language, history and the national anthem of the Republic of Latvia as well as taking an oath of allegiance as mandatory requirements to receive Latvian citizenship. Additionally, the lustration limitations prevent from citizenship those non-citizens, who have been in the service of KGB or participated in the Communist party after January 13, 1991. Source: the web page of the Office of Citizenship and Migration Affairs of Latvia at <http://www.pmlp.gov.lv> accessed on February 9, 2006.

<sup>75</sup> With this argument the Latvian parliament recalled from the Foreign Relations Committee deputy Nikolajs Kabanovs, representing the party *For Human Rights in United Latvia*, accusing him of participating in creating the Russian documentary “Nazism in the Baltics” that defames the Baltic States for supporting revisionism of history. The deputy was also accused of releasing sensitive information from the meeting of parliamentary committees to the Embassies of Russia and Belarus. Source: the web page of the Parliament of Latvia at [http://www.saeima.lv/steno/2002\\_8/st\\_060202/st0202.htm](http://www.saeima.lv/steno/2002_8/st_060202/st0202.htm)

<sup>76</sup> For example, Riga City Council deputy of *For Human Rights in United Latvia* Aleksandr Gilman in the discussion about education in Latvia claimed that the “Latvian state is the same kind of evil as Nazi state, however, weaker and more cowardly... The fact that we allowed its creation is an unforgivable mistake.” None of his party leaders protested or tried to soften his expressions. Available online at the web page of the Headquarters for protection of Russian schools at [http://www.shtab.lv/forum/read.php?f=1&i=34181&tt=33966&d=&m=&g=#reply\\_34181%3Cbr%20%3E](http://www.shtab.lv/forum/read.php?f=1&i=34181&tt=33966&d=&m=&g=#reply_34181%3Cbr%20%3E) Accessed on February 9, 2006.

joined NATO and the EU, even though by joining these two organizations Latvia has substantially promoted its security and the irreversibility of its statehood.

Evidently, Latvia is constrained between diametrically opposites of right and left wing politics that leaves substantial influence on foreign policy formulation. Moreover, there is hardly any question that could be considered as the overarching goal for the whole spectrum of domestic politics. The priorities of the governing right/centric right coalitions from the very beginning were based on integration into European security structures (with the clear subtext of integration as the only alternative for residing in the hemisphere of the post-Soviet security system led by Russia) as well as the strengthening of the Latvian language and spread of “Latvianism” in society. Part of this inevitably is the political recognition of symbols of Latvian history. On the other hand, “Latvianism” is perceived among the Slavic minorities, as a threat to their ethnic singularity, and explains their reluctance to identify with the “Latvian” state. The mutual suspicion between “unpatriotic Slavs” and “Latvian ethnocrats” is the critical impediment within the Latvian society for the building of the modern political nation.

Robert Putnam points out that institutions shape politics and that institutions are shaped by history; he also assumes that institutional performance depends on the social context of the environment in which political actors reside.<sup>77</sup> Thus, it is obvious that the regaining of independence in Latvia in 1991 was a political goal which carried different promises for Latvians and non-Latvians. The native population did not pursue the establishment of a new state but the continuation of the one destroyed in 1940. The state constitution and many fundamental state laws were restored and gradually modernized. The principles of citizenship existing in 1940 were taken as the starting point for Latvian population of 1991, thus determining the restoration of Latvia as a nation-state, dominated by Latvians, as a linguistic-nation.<sup>78</sup> The majority of non-Latvians expected the establishment of a state-nation, which would encompass other qualities, closer to the understanding of the French theologian Ernest Renan, who claimed that a “nation is a

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<sup>77</sup> Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, Princeton, New Jersey, 1993, 7-8.

<sup>78</sup> See reference on the concept of “linguistic nation” by Johan Gottfried Herder, in Ivan T. Berend, *Decades of Crisis: Central and Eastern Europe before World War II*, University of California Press Berkeley and Los Angeles, California, 1998, 54-55.

soul, a mental principle.”<sup>79</sup> In other words, the difference between the two expectations is in the awareness by the ethnic groups of belonging to the particular nation or to the state.<sup>80</sup> Thus, events in history happened to Latvians in their own nation; for non-Latvians, to a large extent, the same issues carry the importance of mere historical facts attached to a particular territory. The interpretation of political events has not only different political but also different nationalistic backgrounds.

## **C. THE DOMESTIC DEBATE AND FOREIGN POLICY IMPLICATIONS**

### **1. National Security Concept**

Being a *de facto* part of the Soviet Union, Latvia until 1991 resided in the hemisphere that favored the approach of the offensive use of force that “was deeply rooted in Russia’s history of external expansionism and internal autocracy.”<sup>81</sup> After regaining independence Latvia started to build its national security by creating a “national style of strategy.”<sup>82</sup> If one takes Johnston’s argument that strategic culture comprises basic assumptions of the strategic environment and an operational level of strategic options, he has to answer the questions about the nature of the enemy and threats the enemy is posing from the point of view of Latvian national security and foreign policy.

The current National Security Concept (NSC) is the most fundamental document in the sphere of national security in Latvia. It was adopted in January 2002 and claims that Latvia is an active participant in the security processes in Europe and is ready to take part in the operations led by NATO, the EU, or the WEU.<sup>83</sup> At the same time “one of the most important parts of foreign policy of Latvia is partnership with the United States of America.”<sup>84</sup> The Concept also underlines that Latvian security is based on the assumption that a threat to one of the Baltic States is a threat for all three; therefore cooperation

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<sup>79</sup> Isaiah Berlin, *Between philosophy and the history of ideas*, Izglītība, Rīga, Latvija, 1998, 97.

<sup>80</sup> Ivan T. Berend, *Decades of Crisis: Central and Eastern Europe before World War II*, University of California Press Berkeley and Los Angeles, California, 1998, 54-55.

<sup>81</sup> Alastair Iain Johnston, *Thinking about Strategic Culture, International security*, Vol., 19, No.4., 1995, 32.

<sup>82</sup> Reference to Joseph S. Nye and Sean M. Lynn-Jones in Alastair Iain Johnston, *Thinking about Strategic Culture*, 1995, 32.

<sup>83</sup> National Security Concept, the web page of Latvian Transatlantic organization at <http://www.lato.lv/html/nato/dokumenti/26000.html> accessed on December 15, 2005.

<sup>84</sup> Ibid.

between Latvia, Estonia and Lithuania is seen as crucial. The importance of Baltic cooperation has been explicitly pointed out also in the Defense Concept.<sup>85</sup>

Emphasis is put on the political and economic cooperation with Nordic countries as well. While NATO and the EU are the main tools for successful implementation of national security with regard to Russia, Latvia cautiously expresses readiness to build relations that are based on pragmatism and mutual gains. The NSC does not, however, addresses the issue of recognition of occupation and the solution to the border problem with Russia, which is on top of the domestic political agenda. It leads to the conclusion that the strategic elite do not view these issues as important for national security. So then, what kinds of threats are of importance for Latvia? The NSC includes those activities that are directed towards national interests and fundamental values of Latvia -- local and regional crises, ethnic conflicts, proliferation of weapons of mass destruction, and terrorism. The option of direct military attack on Latvia, however, is not seen as likely in the foreseeable future.<sup>86</sup> It has to be mentioned that contemporary security challenges have only indirect implications for the Latvian-Russian bilateral agenda. It is rather a Russian claim that the Slavic minorities in Latvia have been treated in a way that leads to ethnic instability. This, however, has not proven right, even though theoretically, political adherence along ethnic lines has a potential to for internal instability.

Nevertheless, in the perception of Latvian elite the most serious threats have traditionally been expected from Russia; Russian leaders have strengthened that belief by not putting much effort into changing its image of aggressive foreign policy towards neighboring countries. Consider the statement of Chief of Russian general staff, general Yuri Balyevsky who claimed that Russia cannot accept the political changes in the post-Soviet realm that are encouraged by revolutions. In an interview to the Associated Press he went even further, saying that Russia has the right to defend its interests in “the post-Soviet space” and “will do it.”<sup>87</sup> Such statements, however, will not necessarily result in

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<sup>85</sup> The State Defense Concept, accepted by the Latvian Parliament on 13 November 2003, available at the web page of the Ministry of Defense of Latvia at <http://www.mod.gov.lv/index.php?pid=13184> accessed on December 16, 2005.

<sup>86</sup> National Security Concept, the web page of the Ministry of Defense of the Republic of Latvia at <http://www.mod.gov.lv/index.php?pid=1250> accessed on December 15, 2005.

<sup>87</sup> Russia Reform Monitor, American Foreign Policy Council, report No. 1329, available online at the web page of American Foreign Policy Council at <http://www.afpc.org> accessed on December 15, 2005.

immediate changes to documents of Latvian national security, because they have been expressed by Russian political and military establishment persistently, and therefore their political value, caused by “political inflation”<sup>88</sup> has dramatically fallen. The importance of such statements is in reinforcement of perception.

## **2. Foreign Policy Concept**

Unlike in the sphere of national security, there is no adopted document in foreign policy; the current draft foreign policy guidelines are submitted in the Parliament of Latvia, and as of early June 2006 have not yet been approved. By and large, the current Latvian foreign policy during the 1990s was determined by the Foreign Policy Concept from 1995-2005. This policy document claimed the main policy goals to be integration of Latvia in NATO and the EU.<sup>89</sup> In regard to Russia this document highlighted the objective

to maintain normal bilateral relations with Russian Federation. They must be based on norms of international rights, international obligations and mutually beneficial cooperation.<sup>90</sup>

In 2004 the main foreign policy goals were achieved by Latvian membership in an enlarged NATO and in the EU. The new foreign policy objectives, however, were not set immediately. Only by the end of 2004 did the Minister of Foreign Affairs submit new foreign policy guidelines to the government. In this regard, it would be right to claim that Latvian foreign policy functions without any clear political guidance; so are the policies towards the Latvian eastern neighbor – Russia.

Since the purposes of this treatise do not include providing information about the Latvian view on prospects of cooperation, more detailed information can be found in the web sources of the Ministry of Foreign Affairs of Latvia. Here, the chapter on bilateral relations with Russia states that

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<sup>88</sup> By the term “political inflation” is meant the decreasing value of political statements that are not followed by actions. If one is hammering a political platform, but is not able to pursue its implementation, the value of this politician or political actor decreases and generally every following statement expressed in the same manner carries less and less worth. Here is the similarity to economic processes. When the amount of money is larger than the amount of available goods or services, it causes inflationary pressure.

<sup>89</sup> Foreign Policy Concept of Latvia 1995-2005, available online at the web page of the Ministry of Foreign Affairs of Latvia at [www.am.gov.lv](http://www.am.gov.lv) accessed on April 20, 2006.

<sup>90</sup> Ibid.

Latvia seeks to develop relations with the Russian Federation in accordance with the principles of international law and in line with one of its key foreign policy priorities - the maintenance of good relations with neighboring countries. Latvia sees its relations with the Russian Federation as taking the form of a constructive dialogue in the context of both bilateral and multilateral cooperation.<sup>91</sup>

Moreover, the foreign policy makers emphasize that Latvia pursues bilateral relations with Russia in three areas: political dialogue, direct contacts between ministries and other state institutions, and regional and cross-border cooperation.<sup>92</sup> The same source of information is explicit about the priorities of the bilateral relations that are “signing of Border Treaty and resumption of the work of the intergovernmental committee.”<sup>93</sup> None of these statements has ever appeared in the broader policy papers; hence we might consider that the political elite does not consider bilateral framework of relations with Russia a priority, and the formation of a political agenda in these relations has been left without careful engineering. In other words, the relations with Latvia are currently directed towards the institutional process, not a result.

### **3. The Declaration of Cabinet of Ministers**

Another policy document that should be considered important for the political environment of Latvia is the Declaration on the Intended Activities of the Cabinet of Ministers, which is adopted by every Latvian government and serves as a list of political commitments of one particular government coalition.

The current government has identified 43 tasks that have to be implemented by this government during its tenure. Out of them only two speak about relations with Russia and even then in the context of “involvement in the further EU-Russia dialogue in line with Latvia's interests”<sup>94</sup> and “employment of the advantages of Latvia's membership in the European Union in order to develop economic relations with Russia and other CIS

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<sup>91</sup> See the web page of at the web page of Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/4542/Russia/> accessed on May 11, 2006.

<sup>92</sup> Ibid.

<sup>93</sup> Ibid.

<sup>94</sup> See the webpage of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/declaration/> accessed on May 12, 2006.



countries.”<sup>95</sup> The other 41 span the range of the political agenda starting from adoption of new foreign policy documents to active membership in NATO and the EU as well as emphasis on the economic dimension of foreign policy, but none speaks about the importance of demanding a recognition of occupation or the border problem with Russia. Such ignorance is even harder to explain because the current government of Latvia emphasized the top importance of signing the border treaty with Russia and particularly emphasizes the necessity for diversification of energy resources in order to diminish dependence on Russian gas.

The governmental ignorance of the “eastern vector” nonetheless has been challenged by the Latvian minister of foreign affairs, who said that the signing of the border treaty with Russia is one of the most important preconditions not only for Latvian foreign policy, but for the strengthening of the internal security of the EU.<sup>96</sup> At the same time this important statement does not find a single reference in any Latvian foreign policy documents.

In general The Declaration of the Cabinet leads to the conclusion that among Latvian foreign policy goals relations with Russia does not have a priority, which is explainable by the explicit orientation of Latvia towards transatlantic security structures. At the same time the unwillingness of the government to emphasize the most important issues of sovereignty such as the border problem and concept of state continuity (the latter being challenged by Russia) does not allow foreign policy formulation to enter the debate within domestic politics and society.

One of the most prominent members of Latvian conservatives, member of European parliament Inese Vaidere, heavily criticized the inability of Latvian foreign policy makers to explain the Latvian policy objectives to its European allies in areas such

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<sup>95</sup> See the webpage of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/declaration/> accessed on May 12, 2006.

<sup>96</sup> Artis Pabriks, *Jaunie ārpolitikas ceļa rādītāji (The New milestones of Foreign Policy)*, Diena, Riga, November 11, 2004.

as the border treaty with Russia, ratification of ethnic minority convention, and overall formulation of Latvian interests in the EU. She claimed that Latvian foreign policy is “the vale of tears” and “feckless.”<sup>97</sup>

In regard to the formulation of Latvian interests in the EU, concerns of Vaidere are by no means illegitimate. The strategy of Latvian interests in the EU is to leverage the support of the EU for signing the border treaty and the lifting of discriminating tariffs on railway transit before Russia becomes a member of the World Trade Organization.<sup>98</sup> Even so, this strategy contains a significant enumeration of Latvian value based interests; the most important problems in regard to Russia, such as political support for recognition of occupation and solution of the border problem are not mentioned.<sup>99</sup> Since these issues should not be considered as only important for bilateral relations, the reluctance to pursue these interests in a wider European forum can only be explained by the actual inability of the political elite to transform existing values into coherent policies.

#### **D. PERCEPTION AND LANGUAGE**

As explained, the Latvian position towards Russia has not been integrated adequately into the domestic political agenda or the nature of Latvian-Russian relations. Official statements concerning bilateral issues are usually expressed in a diplomatically acceptable manner and with some exceptions do not cross the line of cautious criticism. The specific language of the elites, however, points to Russia as one of the major threats to Latvian security. This observation derives from directly observing and interpreting Russia's behavior towards Latvia. As pointed out by scholars of strategic culture, “official language of discourse... excludes alternative strategies.”<sup>100</sup>

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<sup>97</sup> See the news agency LETA report *Vaidere kritizē Latvijas ārpolitiku* (*Vaidere criticizes Latvian foreign policy*) on December 3, 2005, available online at news portal TVNET web page at <http://www.tvnet.lv/zinas/printArticle.php?id=93537> accessed on May 11, 2006.

<sup>98</sup> See *Latvia in the European Union* strategy, available online at the web page of the Ministry of Foreign Affairs of Latvia at [www.am.gov.lv](http://www.am.gov.lv) accessed on May 14, 2006.

<sup>99</sup> In light of the lack of deliberate commitment to the border treaty, expressed by the Latvian interest to discuss the border treaty in the EU-Russia summit in May 2006 as one of the questions of the agenda of the summit, should be considered solely a continuation of “political reconnaissance.” See the Latvian interests concerning the agenda of the EU-Russia summit on Gunta Sloga, *Krievijas un ES Sammitā Dominēs Enerģētika* (*The Energy will prevail in Russia-EU summit*), *Diena*, Riga, May 25, 2006.

<sup>100</sup> Alastair Iain Johnston, *Thinking about Strategic Culture, International security*, Vol, 19, No.4., 1995, 57.

In the speeches of leading politicians in the sphere of national security we find references concerning the need to support and actively participate in the struggle against the global challenges of this century, because Latvian help to our allies will determine whether, as in the words of the Prime Minister, “Latvia will receive support in moments of hardship, or will take a risk to be isolated, when the *aggressor* (italics added – A.R.) threatens us.”<sup>101</sup> This statement requires studying the identity of the aggressor and what is meant by aggression. Observing a map of the Baltic Sea demonstrates the unlikelihood of aggression from Latvia’s allies in NATO and the EU.<sup>102</sup> Hence, the possibility of regional military conflict among liberal democracies is out of the realm of possibility. We should also assume that the Prime Minister, by saying the word “aggression,” meant the threat from terrorism in any of its forms.<sup>103</sup> Even concerns about Russian coercion by using “energy diplomacy” do not necessarily reach the level of “aggression.” If so, in the mind of the elite the military and probably the economic coercion remain the main sources of fear in regard to endangerment of the national security. Thus, only one state in the region currently has a theoretical potential for these types of aggression: as confirmed by history; it is Russia, which, as stated earlier, does not do anything to dissipate such concerns.

This picture, however, should be considered a misperception, because the variables in this situation are not actually linked. If, as claimed by NSC, there is currently no conventional military threat to Latvia, then any rhetoric that uses this kind of political language should be considered an attempt to substitute genuine foreign policy with short term political image making. If, on the other hand, the political statements derive from expected intentions rather than strong analysis of political actions of Russia, then, as Robert Jervis pointed out, “when expectations and desires clash, expectations seem to be more important.”<sup>104</sup> In the Latvian case that is exactly the problem because any political

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<sup>101</sup> The speech of the Prime Minister of Latvia Einars Repše on March 19, 2003 available online at the web page of Latvian parliament at [http://www.saeima.lv/steno/2002\\_8/st\\_030319/st1903.htm](http://www.saeima.lv/steno/2002_8/st_030319/st1903.htm) accessed on December 14, 2005.

<sup>102</sup> These states are Estonia, Lithuania, Poland, Finland, Sweden, Poland and Germany.

<sup>103</sup> The public polls show the trend of growing awareness about the threat of terrorism in Latvia. See public survey data in the webpage of the Ministry of Defense of Latvia at [www.mod.gov.lv](http://www.mod.gov.lv) accessed on May 11, 2006.

<sup>104</sup> Robert Jervis, *Hypothesis on Misperception*, World Politics, Vol. 20, No.3.(Apr.,1968), 461.

move of Russia is analyzed through existing experience in mutual relations; since there is no positive experience, everything is analyzed through a prism of expectation. Jervis continues: “the misperception is most difficult to correct in the case of a missing concept and least difficult to correct in the case of a recognized but presumably unfilled concept.”<sup>105</sup> In the case of Latvia and Russia, the policies adhere to the category of unfulfilled concepts that, of course, does not mean that Russia should be considered friendly or even potentially friendly neighbor.

At the same time the survey organized by the Ministry of Defense of Latvia reveals that Latvians do not consider Russia a significant security risk.<sup>106</sup> The increase of global security risks such as terrorism or transnational crime bring Latvian population closer to Europeans, whose prevailing sense is that Russia is lesser and lesser a threat to the Europeans and should be treated rather as integral partner in the European security processes. In this case the difference between the attention paid by Latvia towards the “Russian problem” and the same issue in Europe leads to a different understanding of security risks among new and old members of the EU and NATO. The Latvian population, according to another survey, is more optimistic about Latvian-Russian relations and keeps a more positive attitude towards Russia in comparison with Russian citizens.<sup>107</sup> As Latvian international relations expert Žaneta Ozoliņa pointed out, contemporary international relations exist in an environment where it is “increasingly difficult to divide external threats from internal ones, prioritize them, and separate domestic security instruments from regional and international ones.”<sup>108</sup> More specifically in the Latvian case, the exploitation of Russian compatriots living in Latvia is hard to differentiate as an external or internal security risk. Or, for example, potential difficulties

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<sup>105</sup> Robert Jervis, *Hypothesis on Misperception*, World Politics, Vol. 20, No.3.(Apr.,1968), 467.

<sup>106</sup> According to the survey, Latvian population considers the military threats only eight important and external threat much less important than internal one. See the data of the Ministry of Defense of Latvia at [www.mod.gov.lv](http://www.mod.gov.lv) accessed on May 11, 2006.

<sup>107</sup> The survey reveals that 50 per cent Latvians have a positive image about Russia. Only 16 per cent Russians have positive image about Latvia. Latvians are also more optimistic about the future of bilateral relations of the both states: 41 per cent Latvians and only 14 per cent Russians think that the relations in the future will improve. Survey by *SKDS* and *VTsIOM* in Latvia and Russia in April 2005. Source the web page of survey company SKDS, [www.skds.lv](http://www.skds.lv) accessed on May 21, 2006.

<sup>108</sup> Interview with Dr. prof. Žaneta Ozoliņa on May 17, 2006.

with the energy supplies from Russia can create regional problems in the Baltics and Poland, but can also create schism between Russia and other states of the EU.

Thus, when the Ambassador of Russian Federation in Latvia, Viktor Kalyzhni, commented on the debate about Russia as threat to Latvia, he said that he wants

to emphasize that there is no need to create an enemy from Russia artificially. There is no one. Why convince the people living here that there is some threat advancing from the East? How can Russia and NATO be at war?<sup>109</sup>

The Ambassador constantly disregards the fact that the state he represents in Riga sends messages that can be very loosely interpreted and thus create results different from those intended and touches on the problem of mass communication in politics. Russia and NATO certainly are not at war, so are not Latvia and Russia; still, the war is not the only form of conflict or fundamental disagreements.

The nature of communication, as mentioned by the American scholar Wilbur Schramm, consists of the source, the message and the destination.<sup>110</sup> Using the basic assumptions of communication theory, the source can be either an individual or a communication organization; the message may be expressed by voice, a form of paper or numerous signals; the destination (or target) can be an individual, group or undefined mass audience. The communication, hence, works as follows: a) a source encodes the message he wants to share; b) the message is put in into a form that can be transmitted; c) the message is received and decoded; d) the feedback encodes a decoded message and feedback follows. Now, to apply this to foreign policy, if there is something that must be implied as an intention or determined political action, the message and transmission should be in concert and mutually reinforced. To put it in other words, if there is a possibility for misinterpreting the message, we should be sure that, in the stage of decoding, this is exactly what will happen. Hence, if Latvian foreign policy papers disregard Russia's importance for Latvian foreign policy, but policy makers claim that

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<sup>109</sup> Anna Novickaja, *Станет ли Вике-Фрейберга Генсеком ООН, будет зависеть и от России*, *Telegraf*, Riga, November 28, 2005.

<sup>110</sup> Wilbur Schramm, *Procedures and Effects of Mass Communication*, 53<sup>rd</sup> Yearbook of National Society for the Study of Education, University of Chicago Press, Chicago, Illinois, Vol. 2. 1954, 32.

some aspects of bilateral relations have implications on the whole spectrum of the EU-Russia partnership, the message is unclear and transmitting such a product successfully is highly unlikely.

In any field of policy or diplomacy it is a mistake to assume that communication can have quick and necessarily positive effects. The claim of Schramm that a message becomes effective only when other elements of the system (decoding, interpreting and encoding) move simultaneously and adequately, has enormous influence on political communication and foreign policy formulation, because “all steps must be accomplished with relatively high efficiency if any communication is to be successful...”<sup>111</sup> Similarly there is a perception problem where changing an image is a lengthy and not always productive process. Therefore it is always better not to create a wrong image than to change an existing one. In this regard Latvia and Russia have fallen into both of these traps. Their intentions towards each other are actually identifiable only by indirection, so communication is also rather indirect (through media more than by political negotiations) and eventually perceptions are rooted deeply in strong images of historical experience that to a large extent have been facilitated by wrongly decoded messages by opponents.

Particularly in smaller states such as Latvia, scarce resources must particularly emphasize using existing tools efficiently. For example, the whole debate about the participation of the Latvian president in the celebration of the 60<sup>th</sup> anniversary of the end of World War II, held in Moscow in May 2005, inevitably led to the debate about the kind of message Latvia would like to send to Russia. President Vaira Vīķe-Freiberga considered this visit an opportunity to explain the most complicated events of Latvian history to Russian politicians, but appeared to her “surreal” bearing in mind the spirit of the event of celebrations.<sup>112</sup> Hence, the problem of the content of the message here is more obvious than the form of transmitting.

It is obvious that in order to speak about the foreign policy of one state we have to study political documents. If these documents signal an attitude of irrelevance about the problem we should expect that the same ignorance would be in other fields of

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<sup>111</sup> Wilbur Schramm, *Procedures and Effects of Mass Communication*, 53<sup>rd</sup> Yearbook of National Society for the Study of Education, University of Chicago Press, Chicago, Illinois, Vol. 2. 1954, 32.

<sup>112</sup> See news agency LETA, May 9, 2005, available online at the news agency LETA web page at [www.leta.lv](http://www.leta.lv) accessed on May 22, 2006.

communication. If it is not true, like in the case of Latvia and Russia, we must conclude that the message has been “transmitted” ambiguously or that the message has been an integral part of the broader process of policy setting and implementation over which the source actually does not have control, and thus he ignores it. The transmitting of the message, though, should not be considered irrelevant, because the political actors have to communicate not only with messages they want to share, but also with those they do not want to. When the Russian president said that Latvians instead of the Abrene district will receive “the ears of dead donkey”<sup>113</sup> he should be sure that his message about denial of Latvians to their legal rights to this territory has been transmitted in a way that has decoded the message not only as aggressive, but insulting, making Vladimir Putin look like a rascal on the international stage. When interviewed, one of the deputies of the Latvian parliament and former mayor of Riga expressed the opinion that “Russians are genetically constructed for stealing and lazing”<sup>114</sup> (actually meaning the contrast between traditional Latvian diligence and the ways of the Soviet management), his political opponents did not decode the message as it was sent and received it as a political attack.

The political debate in Latvia actually challenges conventional wisdom in international relations in the sense that the policy options of small states can be better understood by “structural/systemic rather than domestic level factors.”<sup>115</sup> There are few doubts that the integration processes in Europe were influenced by the terrorist acts in the United States on September 11, 2001. At the same time the strategic partnership of NATO and the EU with Russia or exposure to new security challenges such as terrorism or nuclear proliferation left little or no influence on Latvian-Russian relations. The important changes of European security not only did not change the domestic political agenda, but almost entirely reinforced the same political debate between Latvia and Russia that had already existed before the NATO and the EU enlargement.

To sum up, the vague statements in policy documents on the position of the Latvian state towards actual problems in relations with Russia must be considered

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<sup>113</sup> The statement of Vladimir Putin on meeting with *Komsomolskaya Pravda*, Moskva, on May 24, 2005.

<sup>114</sup> Inese Zandere, Ilmārs Šlāpins, *Norušināti jautājumi (Mould up questions)*, *Rīgas laiks*, Rīga, December, 2001.

<sup>115</sup> Miriam Fendius Elman, *The Foreign Policies of Small States: Challenging Neorealism in Its Own Backyard*, *British Journal of Political Science*, Vol.25, No.2.(Apr.1995), 171.

inadequate for implementing systematic actions or creating countering policies. This lack of policy cohesion is undermining the possibility to defend Latvian interests in the political debate and/or communication with Russia. It is especially important because these statements not only create confusion in communication with domestic audiences, but also send inconsistent signals to other actors in the international system. Such policy has potential to paralyze some policy options and seriously limit others, as will be shown in the case study on the dispute over the Latvian-Russian border treaty.

The formulation of foreign policy implications and communication of messages has everything to do with two other issues of Latvian domestic and foreign policy agenda, namely, the claim for recognition of the Soviet occupation and the role of Latvian soldiers during World War II.

### **1. The Occupation and Restitution**

The dispute between Latvia and Russia on whether the Soviet actions in 1940 should be considered an occupation has lasted more than ten years. This dispute over the last couple of years has changed into a puzzle of problems, which includes the opposite views of Latvia and Russia on the occupation of Latvia, the outcome of World War II, and the annexation of the Abrene district. Since this paper does not analyze the arguments of international law concerning occupation and annexation problems, the basic premise here is that Latvians consider the entrance of the Soviet forces in Latvia in June 17, 1940 an occupation. The Russian leadership refuses to accept this position.

The most emphasized and publicly debated issue in relations with Russia has been the Latvian claim for the need to recognize Russia's occupation of Latvia and apologize for that. This problem, like others in Latvian-Russian relations, is not mentioned in the founding documents of Latvian foreign policy. At the same time, the Latvian political leadership has discussed this issue extensively. The Prime Minister of Latvia put it straightforwardly in a meeting with Latvian regional media: "Latvia and other Baltic States expect Russia to apologize for occupation."<sup>116</sup> He also emphasized that there will be no progress in bilateral relations with Russia until common understanding concerning

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<sup>116</sup> The report of news agency LETA from February 3, 2005, available on [www.leta.lv](http://www.leta.lv) accessed on May 14, 2006.



the past is achieved.<sup>117</sup> The deputy of the European Parliament and Former Defense Minister Ģirts Valdis Kristovskis claimed that Latvia should demand more than just an apology for occupation. For him, the international society should be encouraged to demand the comprehensive and just evaluation of great power deals. He called this a “national and historic task of our time.”<sup>118</sup>

Obviously, this issue is very important for Latvia; therefore it is surprising that achieving this objective has been totally disregarded by foreign policy documents and left to the expectations that there will be windows of opportunities for Latvia to actualize the issue in the future. The reviving of the Russian position in the international stage, however, leads to the assumption that the moment so desired by Latvians could possibly not emerge and in that case, either relations with Russia stall or the solution (whatever it could be) creates a political and moral crisis in Latvia. Therefore, one of alternative policy could be the right to claim condemnation of broader issues of communist ideology, in order to arrive at the condemnation of occupation.

This debate raised another issue in Latvian domestic politics that caused much reflection in bilateral relations with Russia, the issue of compensation for occupation. The government of Latvia has created a special commission that will deal with the methodology and calculations for damages during occupation. This commission is led by the State Chancellery and emphasizes the technical commitment of the process that is expected to be years long. Nevertheless, the message about compensation sent by the government was neither timely nor clear for several reasons. By the end of July 2005, the Head of the Prime Minister’s bureau claimed that “this is not the right moment to discuss the matter at a governmental level.”<sup>119</sup> He also claimed that there is not sufficient information about when the commission could be created. However, three days later such a commission was indeed created by the government, leading to conjecture that the sensitivity of the issue is recognized by the political elite. Similar to other cases, there is no systemic approach to the problem – i.e., it does not derive from policy papers, changes

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<sup>117</sup> The report of news agency LETA from February 3, 2005, available on [www.leta.lv](http://www.leta.lv) accessed on May 14, 2006.

<sup>118</sup> Ģirts Valdis Kristovskis, *Krievijas atvairošanās? Ir tiesiska izvērtējuma iespējas (Russian apologize? There are possibilities for legal evaluation)*, *Lauku Avīze*, Rīga, April 1, 2005, Mr. Kristovskis is currently the Deputy of the European Parliament.

<sup>119</sup> See reference to Jurgis Liepnieks in *Diena*, Rīga, July 30, 2005.

of an international or domestic nature, but solely from peculiar “reconnaissance of political image making,” in which ideas have been simply thrown out for public or international discussion. If some window of opportunity appears to be open, political actions have been immediately pursued.

Some aspects of this process should be emphasized particularly. First, more than fifteen years after regaining independence should be considered more than enough time to craft sensible policy concerning this matter. In other words, if the government has not dealt with this problem in more than a decade, what kind of necessity (domestic or international) would make this an agenda issue of domestic politics? Moreover, already by the beginning of 1990’s there was a study on the same problem, which has not been considered politically important until this very moment.<sup>120</sup>

Second, the idea behind the claim of compensation is not clear at all. Is this a set up for real Latvian policy towards Russia in the future or should the work of the commission be considered of “historical and statistical value?” It should be stated clearly that the recognition of occupation and compensation are not necessarily interlinked. The Latvian President believes that damages of occupation should be calculated, because “it is important, what happened. The other question is about the demands of occupation from Russia – it is, in my opinion, not real.”<sup>121</sup> It is also possible that Russians could take a less reluctant stand towards admitting wrongdoings, if they would be convinced that the recognition of occupation of Latvia and other Baltic States will not be followed by claims for financial compensations. If this accurately reflects Russian motivation, Latvia should not work alone on its position in this matter, but also actively consult with Lithuania and Estonia on a common position.<sup>122</sup>

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<sup>120</sup> See Elmārs Barkāns, Dace Balode, *Krievijas nodarītie zaudējumi - miljardos dolāru (The Losses by Russia – Billions of Dollars)*, *Nedēļa*, Rīga, August 15, 2005.

<sup>121</sup> See reference to the State President Vaira Vīķe-Freiberga in *Neatkarīgā Rīta Avīze*, January 5, 2006.

<sup>122</sup> Currently the Estonian and Lithuanian positions are rather different. Estonia does not prepare for demands of occupation. See the statement of the Prime Minister Andrus Ansip published by LETA with reference to *RIA-NOVOSTI* on October 10, 2005; in Lithuania the similar commission to that in Latvia worked for calculation of occupation. According to director of Lithuanian Center for Genocide and Resistance Arvidas Anušauskas, Lithuania has calculated everything and now is expecting a proper moment in the relations between Lithuania and Russia. See Viesturs Sprūde, *The End of History had not come*, *Latvijas Avīze*, April 20, 2006.

Third, the time to emphasize the problem, namely, around the time when Latvian-Russian relations have reached unprecedented diplomatic tensions, was not chosen successfully. Even if the idea to calculate damages should be considered necessary to research crimes of totalitarianism, it should have been done earlier. If the leader of the government considered the dialog to stand in “such a phase, in which the promotion of this question could be perceived as a totally destructive step,”<sup>123</sup> giving support to such a policy only three days later, when other structural and unit level variables are *ceteris paribus*, disregards the potential risks that may result. Moreover, currently there is no mechanism for persuading Latvian partners in the EU and in America that this claim is something more than a mere political action – respectively, that the political background of this issue is less important than the need for justice. As such it does not add to the pragmatism of EU relations with Russia, and instead of broadening the policy options for cooperation with Russia, narrows them substantially.

## **2. Latvian Soldiers Under Alien Flags–Patriots, Criminals, or Victims?**

The dispute over the role and importance of two divisions of *Waffen SS* known as the “Latvian Legion” probably has been the most intense and still is one of the most divisive factors in Latvian society and important for the image of the state in the international arena. In regard to the image the soundest criticism concerning the commemoration of “old soldiers” has come from Russia. Therefore, such important variables as identity, image and perception as well as legitimacy come together.<sup>124</sup>

The most important of all these factors, however, is not the legitimacy of the Latvian Legion, but the perception about its role in Russia. Since the *Waffen SS* was condemned by the Nuremberg tribunal, for most of its left wing political spectrum, legionnaires in the Soviet time were portrayed as Hitler’s henchmen and thus war criminals.<sup>125</sup> At the same time Russians appear to be unable to present certain evidence of

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<sup>123</sup> See reference to Jurgis Liepnieks in *Diena*, Rīga, July 30, 2005.

<sup>124</sup> The importance of this issue can be illustrated by one example taken from Russian language media in Latvia: in the edition of the newspaper *Čas (The Hour)* from February 13, 2006, out of thirteen articles in the first three pages of the newspaper, four reports were directly or indirectly linked to the condemnation of *Waffen SS*. Headlines such as: *Fascism will not break through* or *Stop celebrating the Waffen SS* illustrate the sensitivity of Russian language media to this issue.

<sup>125</sup> See webpage of political party *For Human rights in United Latvia* at [http://www.pctvl.lv/?lang=en&mode=news&submode=&page\\_id=229](http://www.pctvl.lv/?lang=en&mode=news&submode=&page_id=229) accessed on February 11, 2006, This policy is also pursued by the Russian Federation against Latvia, as described in Chapter IV.

Latvian Legion participation in atrocities against the civilian population committed by the German authorities during the war. There is a tendency to equate legionnaires with German police units from Latvia, Lithuania and Estonia, and should be considered wrong. Furthermore, the Russian media reinforces the blurred image of “Latvian formations” that took part in so-called punishment operations.<sup>126</sup> Thus, the notion of “Latvian formations” traditionally has not been clarified and in the perception of many people in Russia and in the West the Legion and *Sonderkommando*’s create the same image. Any attempt to explain that legionnaires comprised typical light infantry<sup>127</sup> seems to not be reaching domestic and international (and specifically, the Russian) audiences.<sup>128</sup>

Another problem in this puzzle is that both ex-legionnaires and ex-Soviet Latvian soldiers have not come to reconciliation with each other. Their ability to shake hands in front of Latvian society would basically take this issue off the table and to a large extent would deny Russia from arguing about selective attitudes against veterans of the war. In Latvia attempts to agree on creation of one core organization for all World War II veterans has not succeeded. Furthermore, those who after the war followed their struggle against the Communist regime, in the beginning of the 1990’s, created “The National Partisan Union.” “National partisans” became the subject of political dispute when the government decided to allocate additional retirement allowances for these soldiers in February 2005;<sup>129</sup> this action involved the broader issue concerning the attitude towards

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<sup>126</sup> Boris Kovalev, *A Okupanti kto? (Who are occupants?)*, published in the weekly newspaper *Subbota (Saturday)* on October 14, 2005, available online at <http://www.subbota.com/2005/10/20/ob001.html?r=5&> accessed on February 14, 2006.

<sup>127</sup> See George H. Stein, *The Waffen SS: Hitler’s Elite Guard At War: 1939-1945*, Cornell University Press, Ithaca, New York, 174-179.

<sup>128</sup> Referring to the Nuremberg Tribunal, contemporary political actors often forget that the condemnation of *Waffen SS* is only one part of the story. The decision by the United States Displaced Persons Committee (DPC) on September 1, 1950, explains the position of the United States in regard to Baltic legionnaires. It announces that “the *Waffen-SS* units of the Baltic States (the Baltic Legions) are to be seen as units that stood apart and were different from the German SS in terms of goals, ideologies, operations and constitution, and the Commission does not, therefore, consider them to be a movement that is hostile to the government of the United States.” It must be said, however, that the resolution of the DPC appeared in time of Korean War, when the United States needed support of NATO and Germany, both – political and resource wise. For further readings on Latvian Legion see Inesis Feldmanis, Kārlis Kangeris, *The Volunteer SS Legion in Latvia*, electronic edition, available on line at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/latvia/history/legion/> accessed on February 11, 2006.

<sup>129</sup> The press release of Press Office of the Government of the Republic of Latvia, available online at the web page of the Government of Latvia at <http://www.mk.gov.lv/index.php?id=12511> accessed on February 14, 2006.

other World War II veterans. From the transcripts of Parliament discussions, leftists predominantly expressed negative attitudes concerning the decision to allocate money only for “national partisans.” In absolute concert, a similar attitude was expressed by the Russian Federation, whose criticism is mostly based on two traditional clichés: a) national partisans still adhere to the Latvian Legion; and b) the framing of partisans as “mere armed bandits.”<sup>130</sup> Neither of these clichés actually corresponds to the existing historical evidence.

The political left was apparently ready to bargain, if the *rights* would support a similar social assistance package for veterans of the Soviet army.<sup>131</sup> There is certain logic in this proposal, because both totalitarian regimes – the Soviets and the Nazis – called to arms thousands of Latvians, and the situation of extremely limited choice touched all people equally. From this perspective, all Latvians who were forcefully sent to the front should be considered victims. If right wing parties would take one step closer and agree on this proposal of the leftists, the latter must lift the idea of legionnaires as criminals of the war, too. This option, however, has never appeared on the political stage. Therefore, the veteran organizations could play the decisive role, if they were able to find a consensus, to take at least one problem of history off the discussion table. Moreover, a unified approach on the past would also decrease possibilities for Russian attempts to discredit the image of Latvia.

#### **E. DOMESTIC POLITICS BETWEEN COHERENCE AND SCHISM: THE INFLUENCE OF FOREIGN POLICY FORMULATION**

Evidence presented in this chapter leaves no doubts about the decisive influence of the events of the past sixty years on Latvian domestic politics. The discussions concerning the outcome of World War II and the policies of the Soviet regime are top

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<sup>130</sup> See the web page of the Center for Investigation of Crimes of Totalitarianism at <http://vip.latnet.lv/LPRA/ritv.htm> for excerpts from the report *Karš Latvijā pēc kara* (*The war in Latvia after the war*) of Ritvars Jansons, published also in official newspaper of Latvia, *Latvijas vēstnesis* (*Latvian Herald*) on June 14, 2005. Specifically, the researcher draws attention to the order of the Commissariat of Internal affairs of the Soviet Union about “The elimination of nationalistic underground and its armed bands” from March 22, 1945.

<sup>131</sup> This position was most explicitly expressed by deputy Yakov Pliner (party For Human Rights in United Latvia) Available online at the web page of the Parliament of Latvia at [http://www.saeima.lv/steno/2002\\_8/st\\_050616/st1606.htm](http://www.saeima.lv/steno/2002_8/st_050616/st1606.htm) accessed on February 14, 2006. Interestingly enough, this argument has been expressed also by Russia. See the press statement from August 17, 2005, at the web page of the Ministry of Foreign Affairs of Russia at [www.mid.ru](http://www.mid.ru) accessed on May 14, 2006.

priorities of the majority of political parties, and they are actively debated before every parliamentary election. Therefore, discussions about history have daily exposure through media and political activity.

The claim that “the foreign policy of the state must be stable and long term”<sup>132</sup> is the ideal desire of every foreign policy maker. As much as it is ideal, in some political conditions it is also idealistic, because of the political environment or institutional design and prevailing sets of values or culture that in the current Latvian political environment does not encourage long term approaches. As the President of Latvia said: “The question of self-esteem for individuals and collectively for nation as a whole, is still urgent. And that is explainable by our historical heritage.”<sup>133</sup> Foreign policy decision makers are forced to maneuver between the political agendas of the majority of political parties, whose top priorities are linked to preservation of the electorate rather than to pragmatism and long term thinking in foreign affairs. Therefore, the assumption that foreign policy of contemporary Latvia does not derive from formulated national interests, but from specific sets of values that are characteristic for the political elite, should be considered proven. Historical experience creates suspicions and excessive caution that eventually makes foreign policy passive. More concretely, the lack of fixed policy limits the space and readiness for a potential political bargain with Russia; hence and the bilateral relations in the majority of segments can be characterized as “negative stability” or stalemate.

Relations between the elite and the society in Latvia open the question about the role of politicians and statesmen in Latvian politics in a sense used by Oswald Spengler. In his remarkable piece “The Decline of the West” he points out that “the true statesman must also be, in large sense of the world, an educator – not the representative of a moral or a doctrine, but an exemplar in doing.”<sup>134</sup> To him, the true statesman must be distinguished from the politician by the ability to use sacrifices for the nation and its wellbeing, and that his beliefs are shared by the nation as an inspiration for overcoming

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<sup>132</sup> Artis Pabriks, *Jaunie ārpolitikas ceļa rādītāji (The New milestones of Foreign Policy)*, Diena, Rīga, November 11, 2004.

<sup>133</sup> Gunta Bičevska, *Vaira Vīķe Freiberga: Mēs esam vērtīgi.Punkts (Vaira Vīķe-Freiberga: We are of value.Period)*, *Republika.lv*, available online at the web page of news portal TVNET at <http://www.tvnet.lv/zinas/intervijas/article.php?id=220398> accessed on May 14, 2006.

<sup>134</sup> Oswald Spengler, *The Decline of the West*, Volume II, *Perspectives of World History*, Alfred A. Knopf, Inc, Borzoi Book, 1961, 443.

challenges that would not be possible in other situations.<sup>135</sup> In this sense the rare Latvian politician can qualify for the status of statesman.

Two important policy options should be considered for the future of Latvian foreign policy. First, the claim of recognition of occupation and state continuity should be maintained, while the calculations for damages of occupation should be left for historical and statistical value. There are practically no policy options for securing the support for such a claim among Latvian allies, or any other internationally accepted institutional mechanisms. At the same time Latvia alone cannot ensure the implementation of such a claim against Russia. Even if such a claim does not contradict provisions of international law, in any case, it may lead to new political tension between the two states without substantial political gains. Second, Latvia should not divide its soldiers into “right” and “wrong” warriors. None of them, being in *Waffen SS* or in the Soviet army, has participated in a war that in Latvia would regard as heroic. Nonetheless, the military operations of Latvian units should be studied and the heroism of individual soldiers admitted without ceremony or resentment concerning the unpleasant turns of world history. Latvians should know military capabilities of their soldiers as well as tactical and operational considerations. Other than that Latvian citizens were illegally drafted by the occupational authorities, hence, both Soviet and German and from this perspective, the Nazis and the Communists deserve similar condemnation in history. This position should be maintained in policy papers and diplomatic contacts with either Russians or allies in the EU and NATO and the new generation of statesmen should not follow the complex of “historic guilt.”

The future of the Latvian foreign policy will continue be linked to events on the domestic political stage. As mentioned by former State Secretary of the Latvian MFA Māris Riekstiņš, in order to have successful implementation of foreign policy, there is a need for consensus among political forces on the domestic level.<sup>136</sup> In this sense unified policies do not depend on a majority of parliament but on much broader national consensus on issues of the past, and shared objectives in relations with Russia. Latvia

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<sup>135</sup> Oswald Spengler, *The Decline of the West*, Volume II, *Perspectives of World History*, Alfred A. Knopf, Inc, Borzoi Book, 1961, 443.

<sup>136</sup> Māris Riekstiņš, *Lai ārpolitika pēc vēlēšanām būtu veiksmīga*, (*For the successful foreign policy after the elections*), *Diena*, Rīga, April 22, 2006.

cannot afford “a margin of time and error”<sup>137</sup> in its foreign policy actions, because the discourse of the domestic political agenda will continue to influence Latvia’s relations with Russia. From this perspective the balance between constraints of internal and external nature should be transformed into prudent, but deliberately pursued foreign policy.

The Minister of Foreign Affairs Artis Pabriks stated that “we have to be able to utilize the international status achieved by Latvia in order to make our state wealthier economically and politically more influential.”<sup>138</sup> It is hard to disagree with this statement; however, it deserves one stipulation: the transformation of status into influence should be obtained by active and deliberate policies. In this regard, though, Latvia is currently not the best example to refer to in the realm of foreign policy engineering.

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<sup>137</sup> Reference on Robert Jervis Miriam Fendius Elman, *The Foreign Policies of Small States: Challenging Neorealism in Its Own Backyard*, British Journal of Political Science, Vol.25, No.2.(Apr.1995), 176.

<sup>138</sup> Artis Pabriks, *Jaunie ārpolitikas ceļa rādītāji (The New milestones of Foreign Policy)*, Diena, Rīga, November 11, 2004.



## **IV. RUSSIAN FOREIGN POLICY TOWARDS LATVIA: POLITICAL CONSTRAINTS OF COOPERATION**

### **A. THE MATRIX OF BILATERAL PROBLEMS**

Bilateral relations with Latvia are not a priority of Russian foreign policy.<sup>139</sup> Indeed, the main concerns and priorities of Russian foreign policy in last decade have been focused on events closer to the southern borders of Russia. The war in Chechnya and the volatile situation in Central Asia and Caucasus troubles Russian leadership persistently. Moreover, the loss of influence in Ukraine resulting from “The Orange Revolution” signaled that Russia continues to confuse its relations with neighbors, some of whom could be considered “natural allies.”<sup>140</sup> Desire for the restoring of power leads Russian foreign policy makers towards new relations with China and India, closer partnership with NATO and the EU, as well as dealing with regional conflicts in Middle East. Traditionally important for Russia remain relations with the United States, even if foreign policies of both states currently emphasize other directions of partnership.

Nevertheless, Latvia has almost dominated certain areas of Russian foreign policy throughout the last decade. For example, in regard to Russian compatriots living beyond the Russian borders, Putin’s administration criticizes Latvia for its policies, namely, the procedures created for obtaining citizenship or promoting education reform that would strengthen the position of the Latvian language. Russia links this problem with the whole spectrum of bilateral relations between Latvia and Russia.

In another example, Russia is concerned about the Latvian position towards the historical interpretation of the outcome of World War II discussed earlier. Latvia stands by the position that the end of the war did not bring freedom for the Latvian people, but rather exchanged one dictatorship for another. Such a position challenges the view that the war was liberation of the world from the Nazis.

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<sup>139</sup> Interview of the Ambassador of Russia to Latvia Viktor Kaluzhny to the radio station “Latvijas Radio 4” at February 17, 2006. Excerpts from the interview available online at the news agency LETA web page at [www.leta.lv](http://www.leta.lv) accessed on February 23, 2006.

<sup>140</sup> The expression “natural allies” was used by the former Minister of Foreign Affairs Andrei Kozirev in regard to liberal democracies and in particular to the United States of America. The term now seems applicable also to the states of Eastern, Central and Northern Europe. Reference in Thomas Ambrosio, *The Russo-American Dispute over the Invasion of Iraq: International status and the role of Positional Goods*, *Europe-Asia Studies*, Vol., 57, No.8, December 2005, 1194.

These two areas of concerns do not, however, mean that other bilateral issues could be considered as normal. Economic cooperation, for example, even though growing has been seriously impeded by political constraints and should be considered linked to that. The reviving Russian economy, driven by high energy prices, gives Russian politicians tools for reconsidering possibilities for influence in areas of its immediate neighborhood. Therefore policy towards Latvia and the other Baltic States should be analyzed in the context of this process.

Therefore this chapter argues that the current Russian foreign policy towards Latvia is not dependent on changes in the international system, but is the outcome of the domestic inconsistency of Russian self-image or great power that includes the perception about the unique role of Russia in the world as well as an increasing geostrategic claim in the post-Soviet realm.

## **B. LIMITED NATURE OF BILATERAL RELATIONS**

In 2004 Lithuania, Latvia, and Estonia joined NATO, the first time in the history the Alliance was able to expand into territory earlier occupied by the Soviet empire. What for the Baltic States symbolized the end of fifty years of detachment from the European security and economic system, was seen in Russia as a process that by no means enhanced its security. According to data of the Russian public opinion research company *VTsIOM*, 46 percent of Russians consider that enlargement of NATO threatens the security of Russia; only five per cent think this process will strengthen Russia.<sup>141</sup>

Russia reacted to geostrategic changes in the Baltics with calm restraint. Russian policy shifted from regular emotional outbursts concerning the negative impact of NATO enlargement, characteristic of Yeltsin's administration, towards more pragmatic cooperation with European partners. Russia considers partnership with NATO an important part of European security,<sup>142</sup> meaning that successful building of relations with the West is impossible without pragmatism and predictability.

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<sup>141</sup> Data of *VTsIOM* research on 24-27 January, 2003, available online at *VTsIOM* web page at [www.russiavotes.org](http://www.russiavotes.org) accessed on April 14, 2006.

<sup>142</sup> See *Otnosheniye mezhdru Rossiei i NATO* at the web page of Russian Ministry of Foreign Affairs at [http://www.in.mid.ru/ns-vnpop.nsf/osn\\_copy/3C91A48FF18622F4C325704300315426](http://www.in.mid.ru/ns-vnpop.nsf/osn_copy/3C91A48FF18622F4C325704300315426) accessed on December 5, 2005.

These processes created expectations that relations between Russia and the Baltic States will eventually be friendlier. The president of Latvia said that after NATO enlargement, relations will improve “based on mutually beneficial terms.”<sup>143</sup> Former United States Secretary of State Madeleine Albright expressed a similar view in January of 2004.<sup>144</sup> Among scholars and analysts the idea of the positive influence of NATO and the EU on Russia’s relations with the Baltic States was also popular.<sup>145</sup> Indeed, if the geopolitical “temptation” to claim the Baltic States back into the sphere of interests of Russia is no longer existent, the possibilities for a new type of relations would appear real. At the same time, as pointed out by Russian political observer Igor Leshukov, possibilities for new relations do not necessarily turn into implementation of new policies. More than two years later the mutual antagonism did not diminish; rather the opposite, reaching new heights in 2005.

Russian policy papers do not reflect geopolitical changes in the region, because they are adopted in 2000 and thus currently outdated. With the exception of the reference to threats created by the NATO enlargement to the east and territorial claims for the Russian territory,<sup>146</sup> National Security Concept (NSC) does not specifically point to Russian policies towards the Latvian-Russian agenda. The other document, Foreign Policy Concept of Russia, makes more specific reference to relations with the Baltic States.

There are good prospects for the development of the Russian Federation’s relations with Lithuania, Latvia and Estonia. Russia stands for routing these relations onto the track of good neighborliness and mutually beneficial cooperation. One indispensable condition for that is respect for

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<sup>143</sup> Speech of Vaira Vīķe-Freiberga at the meeting with foreign diplomats in Riga, January 22, 2002, reference available online at the web page of news agency LETA at [www.leta.lv](http://www.leta.lv) accessed on April 17, 2006.

<sup>144</sup> The opinion of Madeleine Albright in press conference after meeting with Latvian President in Riga, January 27, 2004, reference in news agency LETA report, January 28, 2004, available online at [www.leta.lv](http://www.leta.lv) accessed on April 17, 2006.

<sup>145</sup> See the reference on Marko Mihkelson, Igor Leshukov in *Russian Foreign and Domestic Policies: in Harmony or at Odds?*, Conference Proceedings, Latvian Institute of International Affairs, Riga, Habitus, 2003, 85-86.

<sup>146</sup> Chapter III, National Security Concept of Russian Federation, Adopted by the President of Russia on January 10, 2000, Available online at the web page of Russian Ministry of Foreign Affairs at [www.mid.ru](http://www.mid.ru) accessed on April 12, 2006.

Russia's interests of those states, including on the central question of respect for the rights of Russian-speaking population.<sup>147</sup>

The "issue" of the Russian-speaking population in Latvia has been emphasized also in information from the European department of the Russian MFA in which bilateral relations between the states are considered to be developing unevenly, and the status of non-citizenship of more than twenty per cent of Latvian population is the main impediment to cooperation. The Russians deny the fact of occupation of Latvia by the Soviet Union in 1940; they also claim that Latvian efforts to investigate the actions of the Soviet partisans during World War II leads to "revisionism of history."<sup>148</sup>

The Russian MFA admits the "limited nature of political contacts" and blames Latvia for its "well known position against Russia and discriminating policy towards the Russian speaking population."<sup>149</sup> Nevertheless, contacts at the parliamentary and ministerial level, albeit not very active, have been maintained regularly. Cooperation between Latvia and Russian regions has been gradually developing, particularly in cities such as Moscow or St. Petersburg, or those regions that have geographical proximity with Latvia. In general, according to Russian MFA, starting in 1991 both countries signed more than 60 agreements and treaties, but not all of them have been ratified.

In the sphere of economics Russia maintains that trade between two states has a status of most-favored nation. Russia has expressed interest in ownership of the Latvian transit and energy enterprises, but the Latvian government refused to sell these companies to Russian business, to a large extent out of national security considerations. Overall, the trade turnover has a tendency to grow, while the proportion of mutual trade in the trade of both states has a tendency to decrease.<sup>150</sup>

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<sup>147</sup> Chapter IV, Foreign Policy Concept of Russian Federation, Adopted by the President of Russia on January 28, 2000, available online at the web page of Russian Ministry of Foreign Affairs at [www.mid.ru](http://www.mid.ru) accessed on April 12, 2006.

<sup>148</sup> Russian-Latvian relations, reference information, Second European department of The Ministry of Foreign Affairs of Russia, available online at <http://www.mid.ru/ns-reuro.nsf/strana> accessed on April 15, 2006. This source, however, should be regarded cautiously, because the last update of it has been done on September 30, 2003. The period of 2004-2006 is better covered in the webpage of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/4542/Russia/>

<sup>149</sup> See at the web page of Russian Ministry of Foreign Affairs at <http://www.mid.ru/ns-reuro.nsf/strana> accessed on April 15, 2006.

<sup>150</sup> See statistical data in the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/4542/Russia/> accessed on April 20, 2006.

Interestingly, Russian foreign policy documents practically ignore the problem of the unsigned border treaty with Latvia. The problem, which is examined in detail in the next chapter, actually arches over the whole spectrum of bilateral cooperation. There are also disagreements among both states concerning the accession of Latvia to The Treaty on Conventional Armed Forces in Europe, but this is a secondary problem.

Thus, relations between Russia and Latvia have been characterized as somewhat uneasy and less than friendly. The spectrum of Russian-Latvian relations has been characterized by the following components: a) the most serious issues between two states are linked to the status of the Russian-speaking population, which is also linked to the issue of the outcome of the World War II; b) economic cooperation with Latvia has been considered important for Russia, but it is constrained by the overall climate of bilateral relations.

### **C. ASSUMPTIONS AND MISPERCEPTIONS IN BILATERAL RELATIONS: INTENTIONALITY VS. CONTINGENCY**

#### **1. Historical Fundamentalism**

The Latvian and Russian interpretations of the events of 1940 as well as the period after the World War II are totally opposite. As we saw in the previous chapter, the Latvian position is based on the assumption that in 1940 Latvia was occupied by the Soviet Union and therefore Russia, as a successor state, should recognize the fact of occupation. Russia, on the other side, claims that the accession of Latvia into the Soviet Union took place according to the Latvian laws existing at the time; therefore the claim of occupation is by no means legitimate. In order to explain the implications of this dispute we shall look into three assumptions that Russian political leaders use to fortify their position in the dispute on issues of the past.

The first assumption concerns the existence of occupation. Among many political observers and experts sources Georgii Kunadze is one of the very rare, who names the events of the summer of 1940 as illegal annexation.<sup>151</sup> Russian scholars as well as political leadership seem united in their conviction that the Latvian argument about the fact of occupation is invalid, and they collectively deny the possibility of interpreting the events of 1940 as occupation. Russian historian Stanislav Chernichenko claims that the

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<sup>151</sup> Georgii Kunadze, *Zrya Otkazalis' Ot Dogovora s Estoniei*, *Izvestija*, Moskva, July 6, 2005.

Soviet Army marched into Latvia with consent of the Latvian government.<sup>152</sup> Thereby, he categorically denies the possibility of talking about the occupation of Latvia and other Baltic States. Ilya Kramnik is even more straightforward. He points out that “we should be proud of farsighted leaders of our (!) state, who in the hardest situation developed a brilliant operation that in less than ten years after the bloody war, ended with gaining the status of superpower.”<sup>153</sup>

Former foreign minister of Russia Andrei Kozyrev also denied the fact of occupation. Even admitting the unwilling accession of the Baltic States to the Soviet Union, he maintains that “it was not ‘an occupation in the true sense’; neither was it ‘an annexation.’”<sup>154</sup> The more recent political position is similar to that of academics and has been expressed by Konstantin Kosachev, Chairman of the Russian State Duma's International Affairs Committee. He explained that the acknowledgment of occupation would put people living in the Baltic States in a position of occupiers. “It would be absolutely morally unacceptable to Russia,” maintains the politician.<sup>155</sup> Moreover, the official position of the Russian MFA denies the possibility of using the term “occupation of Baltic States” when interpreting the events of 1940. Russians are rather inclined to use the term “annexation” – they admit that the Baltic States could have been forced to join the Soviet Union, but they do not see any conflict with the norms of international law of pre-World War II Europe.<sup>156</sup>

President Putin pointed out that the demands of the Baltic States cannot be seen as legitimate, because the Supreme Soviet of the Soviet Union in 1989 has already given precise judgment of the Molotov-Ribbentrop pact from a legal and moral perspective.<sup>157</sup> At the same

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<sup>152</sup> Stanislav Chernichenko, *Baltic "Occupation" and Violations of the Rights of Russian Speakers*, *International Affairs*; Oct 2004; 50, 5, 116-117.

<sup>153</sup> Ilya Kramnik, *Pact In The Name of Victory*, August 23, 2005, available online at the web page of Agency for Political News at [www.apn.ru](http://www.apn.ru) accessed on April 10, 2006.

<sup>154</sup> Reference to Kozyrev in Dietrich A. Loeber, *Russian- Latvian Territorial Dispute over Abrene*, *The Parker School Journal of East European Law*, Vol. 2, 1995, 556.

<sup>155</sup> Interview with Kosachev, Russian Parliamentary Politician: Occupation Did Not Exist, *Postimees*, Tallin, November 1, 2005, available online at <http://www.russiaprofile.org/cdi/2005/11/7/2775.wbp> accessed on December 10, 2005.

<sup>156</sup> Stanislav Chernichenko, *Baltic "Occupation" and Violations of the Rights of Russian Speakers*, *International Affairs*, Oct 2004; 50, 5, 116-117.

<sup>157</sup> See the web page of newspaper *Izvestija* at <http://www.izvestia.ru/politic/article1729121> excerpt from an interview of Vladimir Putin with *Le Figaro* in May 7, 2005.

time he admitted respect for “the opinion of those people in the Baltics, who consider that the tragedy of the Baltic States’ loss of independence was connected to the end of the World War II.”<sup>158</sup> Nonetheless, such a statement is far from an intention to condemn the actions of Russia’s Stalinist regime. To speak the words of member of the Federal Council of Russia Mikhail Margelov, “the Pact is already condemned. There is nothing more to talk about.”<sup>159</sup>

The interpretation of condemnation of the Molotov–Ribbentrop pact as presented by the Presidential team is at best superficial. The decision of the Congress of People’s Deputies only condemned the fact of signing the secret protocols, not the occupation of Latvia and the other Baltic States.<sup>160</sup> The congress acknowledged that the unconstitutional agreement created consequences for “third states,” but at the same time stipulated “that in light of common practice with regard to such type of contracts, content of this agreement was not contrary to international law.”<sup>161</sup> In today’s Russia, to consider this decision sufficient means inability or unwillingness to face the ugly events of pre-World War diplomacy, which did not lead so much towards the increase of security of the Soviet Union, but towards implementation of the expansion of the Communist regime.

The second assumption is that the incorporation of Latvia into the Soviet Union created infrastructure and industry without which Latvia would be a backward state. Closer inspection reveals that the Soviet economic plan was to build a significant industrial complex in the Baltic states and particularly Latvia, most of which was designed to produce parts for military technology. This industry was supported by a sophisticated infrastructure of gas and oil pipelines, ports, railways and roads. After the collapse of the Soviet Union, the majority of these enterprises appeared useless, because of the tiny specific industrial segments they were producing for. Roads and the public transportation system were also insufficient; moreover, due to the persistent shortage of

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<sup>158</sup> The statement of Vladimir Putin during his visit in Slovakia, February, 2005, cited in Lars Freden, *Shadows of the Past in Russia and the Baltic States*, *Russia in Global affairs*, No.3, July-September 2005.

<sup>159</sup> The interview of Mikhail Margelov to *Neatkarīga Rita Avīze*, August 22, 2005.

<sup>160</sup> The decision of The Congress of People’s Deputies of the USSR on December 24, 1989, available on Latvian at the web page of the Center for Investigation of Crimes of Totalitarianism at [http://vip.latnet.lv/LPRA/mol\\_rib\\_1989novertej.htm](http://vip.latnet.lv/LPRA/mol_rib_1989novertej.htm) accessed April 15, 2006.

<sup>161</sup> Ibid.

resources by the end of the 1980's they were not maintained appropriately. Additionally, troops leaving numerous Soviet military bases in Latvia in many cases left behind highly polluted areas.<sup>162</sup>

The industrialization of Latvia does not leave an impression of any kind of great achievement. Disregard of the fact that Latvia before the war was at the same level of economic development as neighboring Finland is a problem for Russian policy makers when they define the impact of Soviet economic development in certain regions of the empire.<sup>163</sup> What was good for underdeveloped Central Asia did not work in the Baltic States. Taking the level of incomes and living standards in Finland as an example, Soviet involvement in Latvia should rather be considered counterproductive. Therefore the argument of Russian Duma speaker Gennady Seleznev that "Latvia would be in backwoods of Europe, if the whole of the Soviet Union had not helped [to] develop"<sup>164</sup> is totally wrong.

The third assumption: Latvians are supporting the former collaborators of the Nazi regime and soldiers of *Waffen SS*. Here also the *black and white* of Russian interpretation of the events of history seems too flat to be acceptable. Russians claim that there is a reviving neo-fascist sentiment in Latvian society that has found its way through the gatherings of ex-*Waffen SS* veterans.<sup>165</sup> According to this position, Latvian authorities do not prevent the gatherings of ex-Nazis and therefore the overall political climate in Latvia facilitates revisionism of history. As mentioned earlier, the Soviet regime was not able to accuse the *Waffen SS legionnaires* of war crimes. Moreover, the Soviets had to recognize that there was little to do with voluntarism drafting Latvian recruits for the Nazi's war. Therefore a claim that Latvian policy would in any way facilitate the revival of national extremism is also groundless.

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<sup>162</sup> The environmental expertise of the Ministry of Defense of Latvia in spring 2006 estimated that the recreation of former Soviet Navy base in City of Liepāja will last approximately 20-25 years. Interview with Advisor, Environmental Issues, to the Ministry of Defense of Latvia Ilona Ekmane, on April 20, 2006.

<sup>163</sup> The comparison with Finland mentioned in Lars Freden, *Shadows of the Past in Russia and the Baltic States*, *Russia in Global affairs*, No.3, July-September 2005.

<sup>164</sup> Lars Freden, *Shadows of the Past in Russia and the Baltic States*, *Russia in Global affairs*, No.3, July-September 2005.

<sup>165</sup> See the commentaries of the Ministry of Foreign Affairs of Russia from August 17, 2005 and March 16, 2006 available online at the web page of Russian Ministry of Foreign Affairs at [www.mid.ru](http://www.mid.ru) both accessed on April 15, 2006.



Politically, this area of mutual dispute is probably the most difficult to agree upon, because both sides challenge the fundamental values of the other. Martin Malia stated that before World War II the Soviet Union was only one of the world's great powers, yet it emerged from the military conflict as "one of the world's two superpowers."<sup>166</sup> This factor has an enormous influence on the society of contemporary Russia for two reasons. First, Russians, who without any doubt suffered many terrible civilian and military losses during World War II, still carry the image of the nation which broke the backbone of Nazism and liberated Europe from it. This image, reproduced by Soviet indoctrination efforts, is deeply rooted and became a dogmatic postulate. Second, and even more important, the victory in the war symbolized the unity between Russian people and their leaders. As Malia mentions, for the first time in the history of Russia, "the regime and the people had a task and a purpose together."<sup>167</sup> In other words, the actions of the regime were legitimate both before and after the war. This fact of legitimacy therefore can be observed in the argumentation of Russian politicians, who claim that the actions of Stalin when subjugating the Baltic States were not "nice", but totally justifiable in light of the security situation of Russia. Both factors create justifications that could be characterized as "historical fundamentalism," which in practice means the existence of "sacrosanct" conventional wisdoms in regard to events of past that are taboo for challenging. Latvians, calling for comprehensive interpretation of the events of the war, actually act against the Russian system of values. Hence, the reaction from Moscow is so uncompromising. Even if the administration could confirm that sustaining "a historical fundamentalism" is not necessary for raising great power, and creating distance from the Soviet actions would rather facilitate the positive image of modern Russia, the current administration refuses to take these steps. This regime realizes that it is considered legitimate only insofar as it has a positive equilibrium of interests with the Russian population.<sup>168</sup> This is a rare situation in Russian history, when the

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<sup>166</sup> Martin Malia, *The Soviet Tragedy: A History of Socialism in Russia, 1917-1991*, The Free Press, A Division of Simon&Schuster, 1994, 273.

<sup>167</sup> *Ibid.*, 273.

<sup>168</sup> Some authors claim that "an equilibrium of political authority exists, when there is a balance between regime that elites supply and the response of citizens. When these competing stresses are equal, the balance appears stable." See Richard Rose, Neil Munro, William Mishler, *Resigned Acceptance of an Incomplete Democracy: Russia's Political Equilibrium, Post-Soviet Affairs*, 2004, Vol. 20, No. 3, 195.

leadership feels the momentum of something in common with its people. Until the actions of the Soviet foreign policy in Russia are widely regarded as aggressive, hopes for changes in the historical positions are minimal. Positive identification with the Soviet past is for Russians, therefore, not simply a matter of political conjuncture; it is a feeling of respect and possibly admiration.

At the same time, efforts of Russian political leadership to justify the actions of Stalin's regime, in fact, create an image of the aggressive nature of Russia. At best, it reinforces the perception about Russia as a country hostile to Latvians that can fuel the radicalization of Latvian society. By denying any wrongdoing of the Soviet regime in occupied Latvia, Putin puts cards into the hands of Latvian nationalists; their actions are rarely directed against Russia itself, but rather reflect domestic policies such as hardening the citizenship law and calling for repatriation of migrants to Russia. Furthermore, the actions of Latvian radicals create a counter reaction of ethnic Russian organizations, which slide into anti-Latvian rhetoric. Eventually, ethnic Russian complaints are received in Moscow as a sign of undemocratic Latvian policies towards ethnic minorities, and in the reciprocal nature of communication, are later reinforced in Latvia as evidence of Russian imperial ambitions.

It is obvious that the Russian president does not have a genuine political problem confirming moral responsibility for the Molotov-Ribbentrop pact, as witnessed by his statements in regard to the occupation of Hungarian and Czech states.<sup>169</sup> It also confirms that such a statement, used to improve relations, does have an effect as well as enormous potential to create preconditions for eliminating a historical dispute. However, this assumption is true only if Russian leaders are truly interested in improving relations.

Therefore, the political discussion about the outcome of World War II, even if it does not satisfy Russia, should be held. There is a mutual gain from agreement upon these discrepancies: for Latvia, the moral satisfaction for historical injustices had done by the communist regime; for Russia, increased trust and probably even prestige among its most democratic and peaceful neighbors. Grigorii Kunadze said in this regard: "Yes.

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<sup>169</sup> According to [www.mosnews.com](http://www.mosnews.com) Putin in a press conference in Prague said: "We do not bear any legal responsibility, but the moral responsibility is there." He addressed a similar statement also in Budapest. See the news reports online at the internet edition of *Mosnews* at <http://www.mosnews.com/news/2006/03/02/czechvisit.shtml> and <http://www.mosnews.com/news/2006/03/01/putinhungary.shtml> accessed on April 17, 2006.

Russia does not carry responsibility for mistakes and crimes of Stalinist politics. But only then, if we as a nation have bravery to admit them at least in silence.<sup>170</sup>

## **2. Treatment of Slavic Minorities**

The policy of using the Slavic minorities as a tool for domestic and international bargaining was already in extensive use during Yeltsin's administration. The difference between the policies the Yeltsin and Putin administrations, however, lies in the establishing of a more systematic approach towards this problem. During Putin's administration a number of state agencies were created for dealing with Russian compatriots living outside Russia. Moreover, the Russian side claims this issue is the main impediment to successful relations between Latvia and Russia. It should be mentioned that the large number of Slavic non-citizens in Latvia is a direct result of the Soviet occupation, when during the fifty years of extensive development of Latvian territory thousands of people from Russia, Ukraine and Belarus were sent to work into the newly created industrial enterprises.

Russians argue that Slavic minorities in Latvia have been treated undemocratically by denying rights to citizenship.<sup>171</sup> With these claims Russia persistently drew attention European institutions to the problem of the so-called "Russian speaking population."<sup>172</sup> Similar complaints have been expressed in Organization for Security and Cooperation in Europe (OSCE) and Parliamentary Assembly of the Council of Europe (PACE). Especially the latter should pay more attention to "undemocratic practices" in Latvia, according to Russian politicians, and renew so-called post-monitoring of human rights, if the situation with Russian-speaking population does not change, as deputy chairman of Russian delegation at the PACE Leonid Slucky pointed out.<sup>173</sup> At the end of February 2006 this question was addressed to the United Nations (UN) High Commissionaire for Human Rights Louise Arbour, expressing expectations

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<sup>170</sup> Georgii Kunadze, *Zrya Otkazalis' Ot Dogovora s Estoniei*, *Izvestija*, July 6, 2005.

<sup>171</sup> The official position of the Ministry of Foreign Affairs of Russian Federation, published in July 22, 2005, available online at the web page of Russian Ministry of Foreign Affairs at [www.mid.ru](http://www.mid.ru) accessed on April 17, 2006.

<sup>172</sup> "Russian speaking population" is ethnically composed of Russians, Byelorussians and Ukrainians. Neither Ukraine, nor Belarus (even with Lukashenka in office) had ever complained about the discrimination practices of Latvian authorities.

<sup>173</sup> See the web page of the news agency LETA at [www.leta.lv](http://www.leta.lv) news report on April 10, 2006, with reference to *RIA-NOVOSTI*, accessed on April 11, 2006.

that the UN should pay attention to “dangerous tendencies, weakening the international regime of the protection of human rights” in Latvia and Estonia.<sup>174</sup>

The data from human rights organizations, however, does not reveal significant problems in the field of Latvian violation of human rights of Slavic minorities. There are approximately 25,000 Russian citizens permanently living in Latvia, but only in relatively few cases have human rights problems been reported.<sup>175</sup> Altogether, according to data from the Human Rights Office during 2004, the bureau received 20 complaints about the status of aliens in Latvia as well as one case of racial discrimination and two cases of language discrimination.<sup>176</sup> In the case of non-Latvian residents of Latvia, who were not immediately eligible for citizenship after the country regained independence; judicial acts have now been adopted that require only knowledge of the language, national anthem and history of the state as criteria for citizenship. The Latvian Center for Human rights points out that:

2004 became a record year both in terms of applications for naturalization and persons actually naturalized. The 21,297 applications received were almost double that of the preceding year. By 31 December 2004, 85,352 persons had become citizens of Latvia through naturalization since the beginning of the naturalization process in 1995.<sup>177</sup>

Hence, the position based on the assumption that Russian speakers “are deprived of the right to receive citizenship”<sup>178</sup> is not valid. Still, Mikhail Demurin claims that Latvia and other Baltic States do not follow the positive example of other European nations such as Hungary and Slovakia, who do not claim to “infringe on the rights of their compatriots now

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<sup>174</sup> The Commentary of the Department of Information and Press of the Russian MFA, February 24, 2006, No 257-24-02-2006, online at [http://www.mid.ru/brp\\_4.nsf/sps/6467368B5C7F5BD4C325711F003A1238](http://www.mid.ru/brp_4.nsf/sps/6467368B5C7F5BD4C325711F003A1238), accessed on February 26, 2006.

<sup>175</sup> The case *Slivenko against Latvia* has been ruled by European Court of Human Rights. See the analysis of the case in Kristine Kruma What can Latvia learn from the Slivenko case? available online at portal of Social Politics at <http://www.policy.lv/index.php?id=102059&lang=en> accessed on April 17, 2006.

<sup>176</sup> The source, the web page of Human Rights office of Latvia, report 2004, available online at [http://www.vcb.lv/zinojumi/2004.gada\\_zinojums.pdf](http://www.vcb.lv/zinojumi/2004.gada_zinojums.pdf) accessed on April 17, 2006.

<sup>177</sup> See the annual report *Human Rights in Latvia*, the web page of the Latvian Centre for Human Rights and Ethnic Studies, May, 2005 available online at [http://www.humanrights.org.lv/upload\\_file/Parskats2004\\_en.pdf](http://www.humanrights.org.lv/upload_file/Parskats2004_en.pdf) accessed on April 17, 2006, 17.

<sup>178</sup> Eleonora Mitrofanova, “The Russian World” Without Borders, Russia in Global Affairs, February 17, 2004, Eleonora Mitrofanova is Head of Agency *Roszarubezhcenter* dealing with the Russian compatriots living outside Russia.

living in Slovakia, because Slovaks were oppressed in the former Austro-Hungarian Empire.”<sup>179</sup> He, however, makes a wrong comparison, because Slovakia neither existed as a free state nor was a victim of illegal agreements which predetermined the destiny of nations, as it was with Latvia and other Baltic States. The problem of wrong comparisons can be found in other expressions of Russian leaders. President Putin, for example, compared the ethnic situation in Latvia with that in Macedonia, advocating for promoting the two state languages. Intentionally or not, he expressed that, “we (!) have 60 percent Russians living in Riga,”<sup>180</sup> which is at best ignorance of facts.

Observation of official statements by Russian officials and media coverage for the time period from 2004-2006 is creating the impression of separated roles of “good and bad policemen” among Russian political leadership. For example, the MFA plays the bad policeman, constantly hammering the more alarming news from Latvia. On May 26, 2005 the Latvian parliament adopted the European Framework Convention for the Protection of National Minorities; the Russian reaction to that was highly generalized and negative in tone. The MFA announced that the “very fact of adoption of the Convention by Latvia was characterized by many in the world as profanation.”<sup>181</sup> This strong statement attempts to portray Latvia sneering on Russians. *Profanation* is also presented as self-explanatory and an obvious fact for multiple international audiences, deriving from the nature of Latvian government. Who those *many are*, who explicitly point to the irrelevance of the Latvian decision, remains, however, undisclosed.

Both Russian President Putin and Ambassador to Latvia Kalyzhni are neutral observers of the process of Latvian-Russian relations. Their tone however, differs. The ambassador positions himself as a schoolmaster, whose traditional behavior is to call little mischievous children, namely Latvian politicians, to act responsibly and not to create trouble for their parents (the Latvian state). The President, though, in this case should be considered a leader of the “parents committee,” who is aware of everything,

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<sup>179</sup> Mikhail Demurin, *Russia and the Baltic States: Not a Case of “Flawed” History*, *Russia in Global Affairs*, No.3, July-September 2005.

<sup>180</sup> Putin’s statement in press conference on January 31, 2006, report on February 2, 2006, available at the web page of news agency LETA at [www.leta.lv](http://www.leta.lv) accessed on May 16, 2006.

<sup>181</sup> The Commentary of the Department of Information and Press of Russian MFA, December 5, 2005, No. 2590-05-12-2005, available online at the web page of Russian Ministry of Foreign Affairs at <http://www.mid.ru> accessed on February 26, 2006.

but seems unwilling to influence the actual behavior of individual participants. Responding to complaints about the decision of the Riga City council not to allow holding the TV-bridge with Moscow in downtown Riga, he answered:

Let us bear no grudges against these people. We all trace our origins to one common home, which was called the Soviet Union, and it seems that these birthmarks of the Soviet past, as they used to say, are still present on the faces of the authorities in some countries of the former Soviet Union.<sup>182</sup>

Furthermore, there are “good policemen,” too. They appear very friendly, but firm and coherent in their disagreement to Latvian political perspectives. Such political figures as Modest Kolerov, Konstantin Kosachev, Mikhail Margelov, Eleonora Mitrofanova and Sergei Yastrzembksi<sup>183</sup> usually keep a very polite and unified position concerning the need to forget about the discrepancies and concentrate on the positive potential of bilateral relations; or, to put it otherwise, “to start relations from the white list of paper.”<sup>184</sup> Mitrofanova, for example admitted that Russia and Latvia do not know each other good enough to make realistic judgments and called for non-politization of the question of compatriots in Latvia.<sup>185</sup> At the same time the new appearances do not exclude the use of old arguments. In fact, this commitment of the Russian political elite to change the branding of their policies without changing the content is rather paradoxical, because it confuses the Latvian and international societies in terms of possible responses. Here Kolerov poses as a political bargainer when answering the Latvian ambassador in Moscow that Latvia cannot accept the Lithuanian version of citizenship, hurries to drop the cards on table by saying that then “Russia will not apologize to your country for our common historic past.”<sup>186</sup> Moreover, when from one side Kosachev idealistically points to overcoming mutual complexes and prejudices by

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<sup>182</sup> The President of Russia answered the questions in live TV coverage on RTR Russia, excerpts available on the web page of Center for Defense Information at [http://www.cdi.org/russia/news\\_report#9256](http://www.cdi.org/russia/news_report#9256), accessed on April 18, 2006.

<sup>183</sup> Modest Kolerov - Chairman of Department of interregional and cultural relations at the Administration of the President; Konstantin Kosachev – Chairman of the Russian State Duma's International Affairs Committee, Sergei Yastrzembksi – aide to the President; Mikhail Margelov – the member of Federal Council of Russia.

<sup>184</sup> Interview of Ambassador of Russia to Latvia Viktor Kalyzhni to *Diena*, Riga, January 17, 2005.

<sup>185</sup> Interview with Eleonora Mitrofanova in *Telegraf*, Riga, August 25, 2005.

<sup>186</sup> *Cas*, Riga, November 9, 2005.

good will and aspirations to dialog; Kolerov, from another side is deeply concerned about the assimilation tendencies of the Russian population in Latvia: “Any attempt to substitute the integration with assimilation will cause strict objections from Russia.”<sup>187</sup>

Thus, the Russian political leadership actually attempts to send messages across the whole moderate political spectrum, trying to find out in which audiences each of them could work. The overall goal of these different approaches, however, is to send self-styled messages that would support an image of seeking practical solutions to problems. One such example is President Putin’s statement on Russian television:

We very much hope that this will be met with understanding, both by the citizens of Latvia and by the Latvian authorities; that they will understand that Russia does not intend to split Latvian society, or society in the other Baltic republics. On the contrary, we want it to be a unified society, but a society in which people, regardless of their language and ethnic origin, feel they are full-fledged citizens of the country where they live, the country they have chosen as their motherland... But I repeat, we will try to do this in a nonconfrontational way, so as not to create new problems...<sup>188</sup>

This is pragmatism *par excellence*. But we should not hastily consider this a clear roadmap for the solution of the problem. The Russian president and Latvian authorities are not divided on the need of a unified society in Latvia. A “non-confrontational way,” however, is seen differently on each side of the issue. It is not likely that the intent of Russian leaders is to encourage compatriots to prioritize learning the Latvian language, to integrate into Latvian society and, become proud people of a *Latvian* state that is multiethnic, multicultural, and multireligious. Thus, the actions of Russian officials do not leave an impression that pragmatism from words could be transformed into implementation of reconciliatory policies.

In spite of the Russian hammering, a supposedly “well known” problem with Russians in Latvia has never developed, and ethnic tensions obviously lack potential to change into something seriously destabilizing. Approximately 60 per cent of Latvians and Russians have positive experiences in their daily interaction and roughly only one tenth

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<sup>187</sup> See interview of Konstantin Kosachev to *Telegraf*, Riga on February 7, 2006 and interview of Modest Kolerov to *Cas*, Riga, November 9, 2005.

<sup>188</sup> Putin’s statement in Russian TV, answering questions of Russian people, September 28, 2005, available online at the web page of Administration of the Russian President at [www.kremlin.ru](http://www.kremlin.ru) accessed on May 22, 2006.

of the population called their experience with other ethnic group a negative or rather negative.<sup>189</sup> This leads to the conclusion that the Moscow's constructed reality actually does not exist in the form presented to the international community. This can be explained only by the motivation to create at least some political leverage, or to use the scarce "positional goods" available for Russia in order to recreate its self-image as a great power.<sup>190</sup> Moreover, the Russian position towards Latvia has been overtly harsher than in case of the authoritarian states of Central Asia, where "Moscow turned blind eye to both the suppression of opposition... and the violations of human rights of Russian ethnic minorities."<sup>191</sup>

The question of why Latvian-Russian relations "stumble on minorities" offers only two explanations. Either Russian policy makers do not understand the political process in Latvia, or they ignore it, pushing their own agenda and disregarding the possibility for improvement of bilateral relations. The transparency of Latvian society makes collection of data and its analysis easy; therefore the option that analysts would be hindered from gathering all necessary data about political events in Latvia is unlikely. Hence, as much as the status of Russians is important for the future political ambitions of Russia, the need for self-preservation is important for Latvians. Therefore, the possibilities for changes in the position towards use of language and citizenship procedure in Latvia are highly unlikely, if not impossible. Moreover, since knowledge of Latvian language and history seem absolutely sensible for being a citizen of the Republic of Latvia;<sup>192</sup> Russian pressure will only create a proportional Latvian resistance.

The Russian foreign policy vision to use ethnic Russians as a tool for preserving political influence in the Baltic States is the only workable explanation of Russian actions persistently trying to discredit Latvia in the international arena. If so, the different roles of Russian bureaucrats and politicians fit perfectly into the action described by Deputy

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<sup>189</sup> A survey of public opinion by *Uzskati par starpetniskajām attiecībām Latvijā* (*The opinions about the ethnic relations in Latvia*), SKDS in August 2005, available online at news agency *Dialogi* web page at [http://www.dialogi.lv/pdfs/atskaite\\_082005\\_dialogi.pdf](http://www.dialogi.lv/pdfs/atskaite_082005_dialogi.pdf) accessed on April 18, 2006.

<sup>190</sup> Thomas Ambrosio, *The Russo-American Dispute over the Invasion of Iraq: International status and the Role of Positional Goods*, *Europe-Asia Studies*, Vol., 57, No.8, December 2005, 1192-1193.

<sup>191</sup> Dmitri V. Trenin, Aleksei V. Malashenko with Anatol Lieven, *Russia's Restless Frontier: The Chechnya Factor in Post-Soviet Russia*, Carnegie Endowment For International Peace, Washington D.C. 2004, 175-176.

<sup>192</sup> A similar requirement is contained also by Russian citizenship law.



Minister of Foreign Affairs Grigory Karasin, who estimated that from ten to twenty six million Russians live outside CIS countries. This leads him to a statement: “Our firm decision is – we need to go outside the CIS countries in order to work with our compatriots.”<sup>193</sup> The aim for these actions is not humanitarian assistance or improvement of cultural relations. It is about the political status of Russians abroad, about their ethnic consciousness, political organization, and unity. The only question then is whether Russians understand that intentionally or not, substitution of cultural relations with political support to one ethnic group is perceived by host nations as the actions of an enemy. Used in combination with economics, this policy becomes a genuine coercive power for regaining influence in the former Soviet realm. Hence, ethnic Russians outside their motherland are not necessarily a source of insecurity; they are used as a tool for Russia’s revived claim for position in the international system, currently bound by typical “status inconsistency.”<sup>194</sup>

### **3. Economic Cooperation**

Economic cooperation and the issue of Russians in Latvia are very closely linked in Russian policies; therefore, this sphere of bilateral relations has been under persistent threat of disruption. There are many accounts during the fifteen years after the collapse of Soviet Union when Russian officials were ready to vote for economic sanctions against Latvia. The last time such a statement was publicly expressed in August 17, 2005, when an unnamed source in the administration of the Russian president addressed the possibility of using economic sanctions specifically against Latvia, in order to change allegedly discriminating policies against its Russian population.<sup>195</sup> This particular link to the status of Slavic minorities in the Baltic States has been recently made public. Grigory Karasin claimed that Russia could change its [economic] policy towards Latvia and Estonia because of treatment of Russians, who have been “discriminated against.”<sup>196</sup> What kind of pattern these changes

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<sup>193</sup> Speech by Grigory Karasin in Duma hearings in December 8, 2005, news report of news agency LETA with reference to RIA-NOVOSTI, available online at the web page of news agency LETA at [www.leta.lv](http://www.leta.lv) accessed on April 14, 2006.

<sup>194</sup> Thomas Ambrosio, *The Russo-American Dispute over the Invasion of Iraq: International status and the Role of Positional Goods*, *Europe-Asia Studies*, Vol., 57, No.8, December 2005, 1192-1193.

<sup>195</sup> *Neatkarīgā Rīta Avīze*, Rīga, August 18, 2005.

<sup>196</sup> Speech by Grigory Karasin in Duma hearings in December 8, 2005, news report of news agency LETA with reference to RIA-NOVOSTI, available online at [www.leta.lv](http://www.leta.lv) accessed on April 14, 2006.

could take we can calculate from the statement of Minister of Foreign Affairs Sergei Lavrov, who during the session of the Federation Council on October 12, 2005 promised deputies “to use a broad arsenal of tools of economic coercion”<sup>197</sup> in regard to less-than-loyal neighbors. Later he referred to government plans directed towards increasing the profitability of Russian energy companies. Even if this is the real cause for the changes of Russian energy policies, the rhetoric of officials to use energy resources as “a stick” for relations with countries which do not support Russia’s policies, is symptomatic. Hence, relations between Latvia and Russia should be analyzed with this overlay in mind, because the current Ambassador of Russian federation in Latvia, Viktor Kalyzhni, is the former minister of fuel and energy of Russia, and an experienced party bureaucrat and energy resource specialist.<sup>198</sup>

The role of the current Ambassador of Russia should be considered very important. He does not hide Russian interests to increase influence in Latvian transit business. There is no coincidence that his first business trip as an ambassador was to the Latvian transit capital city of Ventspils. After this visit Kalyzhni openly stated that in order to renew oil flow from Russia through the closed pipeline of *Ventspils nafta* enterprise, “Latvia has to seek for a Russian strategic investor.”<sup>199</sup> The chain of administrative events that prevented the oil pipeline from functioning, explains why the pipeline was closed,

mainly as a result of the administrative resolutions of the Russian oil pipeline monopoly *Transneft* and the Russian Federal Energy Commission. These resolutions were aimed at not allowing Russian oil exports via the Ventspils transit corridor and directing as many exports as possible via the Primorsk oil terminal owned by *Transneft*.<sup>200</sup>

Therefore, it is obvious that the activities of the Russian ambassador are less directed towards active cooperation in the sphere of transit, but to increasing the

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<sup>197</sup> *Neloyalnie ostanuts`a bez nefi i gaza* (Not loyal will be left without oil and gas), *Nezavisimaya Gazeta*, October 13, 2005.

<sup>198</sup> Data and CV of Ambassador available online at the web page of the Embassy of Russian Federation in Latvia at <http://www.latvia.mid.ru/posol.html> accessed on April 16, 2006.

<sup>199</sup> Interview of Viktor Kalyzhni to *Kommersant Baltic*, Riga, January 19, 2005 available online at the web page of the Embassy of Russian Federation in Latvia at <http://www.latvia.mid.ru/news/ru/050119.html> accessed on April 16, 2006.

<sup>200</sup> As reported by the Latvian company *Ventspils nafta*, in 2002 Russian oil exports decreased more than 50 percent and oil pipelines did not give significant input to the work of the company in the following years either. Online at [http://www.vnafta.lv/eng/doc/fin\\_parskats2002.pdf](http://www.vnafta.lv/eng/doc/fin_parskats2002.pdf) accessed on April 16, 2006.

influence of Russian state owned companies, which no doubt can bring more profits, but also more dependency from the administrative decisions within Russian politics. As such the position of Latvians refusing to sell their energy companies to Russians is coherent with the vision of national security, which considers diversification of energy supplies an important priority for diminishing the unwelcome tendencies of monopolization in this sphere.<sup>201</sup> Hence, the ambassador's claim that

Russia is open and predictable. The politics of Vladimir Putin are understandable for all. Currently Russia has good relations with the EU and NATO, with leaders of economic great powers.<sup>202</sup>

is not so obvious for Latvians. Moreover, the overarching irony of the inability of Latvians to grasp the economic benefits from the offered cooperation is not a good way to communicate, if the Russians persistently fail to translate their intentions into attractive and peaceful looking proposals of economic policy.

The unknown variable thus far is the intention of Russians after gaining control over the largest energy companies in Latvia. The discourse of political contacts leads us to think that here Russians would not deal with profitability of their enterprises or exploring new markets, but the purchase of a tool for influencing political processes in Latvia, now a member of the EU and NATO. For this purpose the ambassador is trying to create a myth that if Latvia would sell its assets and stop complaining about historical injustice, the economic benefits would be enormous. These expectations should be considered rather naïve, because nothing impedes the transit and economic cooperation right now, except an argument that Russia actually does not get any political benefit from this type of cooperation.

In this respect the emotional reaction in Latvia on the signing of the agreement between Russian *Gazprom* and German *BASF* on building the gas pipeline is well understandable. Symbolic importance of this treaty has been added by the presence of top political leaders of Russia and Germany; therefore this project has been called “a new

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<sup>201</sup> See chapter 2.4. of National Security Concept of Latvia, adopted by Latvian parliament, February 2, 2005, available online at the web page of the Ministry of Defense of Latvia at [www.mod.gov.lv](http://www.mod.gov.lv) accessed on April 16, 2006.

<sup>202</sup> Interview of Viktor Kalyzhni to *Kommersant Baltic*, Riga, January 19, 2005 available online at the web page of the Embassy of Russian Federation in Latvia at <http://www.latvia.mid.ru/news/ru/050119.html> accessed on April 16, 2006.

German-Russian pact” or “Putin-Schroeder pact.” The gas pipeline project is the best evidence that the practical implementation of “geopolitics of energy resources” has started and that Russians are aware of the gamble they are taking to profit from a lack of coherent EU position on energy. European states need more energy resources and gas is cheapest available and obviously will remain so for a long time. If this pipeline would be an entirely economic project, it would not be laid beneath the Baltic Sea. For the mutual gains the most convenient route would go through Poland and/or the Baltic States, in order to ensure that all interested nations of the EU would profit from this project. The interdependency between the Baltic States, Poland and Russia would increase and this would be the right moment to prove the new and friendly nature of Russian economic policy. The concerns that the decision on building the gas pipeline from Russia to Germany is a political project were expressed not only by the leaders of the Baltic States and Poland, but also by Commissary for Energetic of the EU Andris Piebalgs.<sup>203</sup>

The actual implementation of the project leaves major doubts about its allegedly non-political foundations. Behind the route of the project, there are potential losses for the Baltic States and Poland in case of political discrepancies with Russia. The lack of an alternative source of supply makes dependency on Russia really frightening, because the Russian-German project theoretically allows closing the gas supplies to these countries, even if the political costs would for Russia be enormous, dare the politicians such actions. Nevertheless, exactly these concerns were strengthened by Andrians Dāvis, the Chairman of the Latvian energy monopoly *Latvijas Gaze*, who expressed the opinion that after the gas pipeline is finished the current natural gas storage in Latvia becomes useless for Russia,<sup>204</sup> and as such the future of Russian gas supply to the Baltic States appears to be dubious. It should be said, however, that even if such an option is only theoretical and political costs for such action would be catastrophic for Russia, it provides reason enough for seeking alternative energy sources.<sup>205</sup> The Russian leadership also does not hurry to reassure Latvians about the secure future of energy supplies, thus adding to the

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<sup>203</sup> News agency LETA news report, September 8, 2005, available at news agency LETA web page at [www.leta.lv](http://www.leta.lv) accessed on April 21, 2006.

<sup>204</sup> News agency LETA report, February 8, 2006, available at news agency LETA web page at [www.leta.lv](http://www.leta.lv) accessed on April 21, 2006.

<sup>205</sup> The Baltic States agreed for common financing of building of nuclear power plant in Lithuania; the alternative natural gas supplies from Norway have also been studied.

uncertainty of the situation. Interestingly, among shareholders of *Latvijas Gāze* are the *Gazprom* and another Russian company *Itera-Latvija*, which were interested in the economically most profitable solution and thus to participate in the gas pipeline project. According to the company officials, they worked actively to be included in the pipeline project, but were prevented from that.<sup>206</sup> Thus, the political decision to exclude a Latvian company from participation in the project signals that the promised profits would remain an illusion if political gains for Russia are not part of the business deal.

The Russian politicians have many times stated how important it is to “separate economics from politics” or to provide “economic incentives”<sup>207</sup> in order to improve the bilateral political process. As evidence demonstrates, these statements are misleading, because Russia does not have incentives to improve the economic relations with neighboring countries if such cooperation does not strengthen the political positions of Russia. In other words, if Latvia continues to disagree with Russia on history and the treatment of its Russian population, no successful cooperation will ever be possible.

#### **D. COOPERATION BETWEEN MISPERCEPTION AND HYPOCRISY**

The Russian foreign policy towards Latvia displays a strong inconsistency between political statements and real commitments. The inability of Russia to portray and implement its foreign policy as friendly towards its closest neighbors is the largest problem of Russian foreign policy makers. In words Russia expresses its willingness for cooperation in the whole spectrum of bilateral relations. Russia, however, implements policies that disregard any mutual gains. As a result of that, Russia’s *energorealism* creates suspicions concerning what the real Russian intents are. The one policy direction, however, is clear: putting the combination of energy policy and compatriot relations into a regional perspective, Russia leads towards the facilitation of internal schism within the EU about the future of energy supplies, gaining and politically profiting from it. In a situation, when European states are similarly interested in possibly cheaper energy resources, Poland and the Baltic States

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<sup>206</sup> The shareholders of *Latvijas Gāze* are German *E.ON Ruhrgas International AG* that holds 47, 15 per cent, *OAO Gazprom* holds 25 per cent and *SIA Itera-Latvija* - 25 per cent shares each. See the position of the chairman of company’s board Adrians Davis at news agency LETA report from September 5, 2005, available online at the web page of news portal TVNET at <http://www.tvnet.lv/zinas/arzemes/article.php?id=82190> accessed on April 16, 2006.

<sup>207</sup> Both statements cited in Mikhail Demurin, *Russia and the Baltic States: Not a Case of “Flawed History, Russia in Global Affairs*, No.3, July-September 2005.

have a risk to slide gradually into an energetic “quasi isolation.” Therefore, the idea of “energy NATO” should be considered as a serious signal of insecurity that has a potential for escalating.

In general, it is obvious that Russia does not have a comprehensive and positive long term policy towards Latvia. It makes Russia rather psychologically alienated from its neighbors. Indications of *velikoderzhavie* (great power state) have been faced in the Baltic States very critically and make them ready to sacrifice any cooperation with Russia if that can help to secure their independence. Thus, this policy may appear more realistic than it might appear in Moscow. The current “negative stability” or political freeze on most important bilateral questions is directed to the future, when political dispositions could possibly create advantages for both states to achieve their goals. One of the most influential Russian foreign policy experts, Sergei Karaganov, described this saying: “We [Russia] lack a long-term policy with regard to most regions of the world. We lack strategic planning. We lack knowledge.”<sup>208</sup> The lack of knowledge creates and maintains the Russian perception of Latvians as their greatest enemies in the world.<sup>209</sup>

George Kennan mentioned that it was the Soviet leadership that “consistently added to the dimensions of... problem[s] by their own actions.”<sup>210</sup> He continues, saying that in order to reassert the legitimacy of the regime, which is essential for Russia to remain politically stable, “they never hesitated to depict the outside world as more inimical and menacing than it actually was, and to treat it accordingly. In this way they not only encumbered themselves with imagined burdens that had no real existence, but they also provoked real fears and resentments that need otherwise never have existed.”<sup>211</sup> From this perspective, the approach of Russia on relations with Latvia has from the Soviet time changed as little as possible.

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<sup>208</sup> Sergei Karaganov, *Take Care Not To Repeat The Same Mistake*, *Nezavisimaya Gazeta – Dipskurier*, No. 16 (79) December 2004, Yulia Petrovskaya, available on line at the *WPS Monitoring Agency* web page at [www.wps.ru/e\\_index.html](http://www.wps.ru/e_index.html) accessed on April 22, 2006

<sup>209</sup> The public polls in the spring of 2005 in Russia revealed that Latvia and Estonia are among four states Russians see as greatest enemies. Latvia is first with 49 per cent, second was Lithuania with 42 per cent. Georgia was third (38 per cent) and fourth was Estonia (32 per cent). See <http://en.rian.ru/analysis/20050621/40562651.html> accessed on December 4, 2005. This trend has been confirmed also by similar survey by *VTsIOM* in May 2006.

<sup>210</sup> George F. Kennan, *Soviet Foreign Policy: 1917-1941*, Greenwood Press, Publishers, Westport Connecticut, 1978, 115.

<sup>211</sup> *Ibid.*, 115.

## **V. THE LATVIAN-RUSSIAN BORDER: NEGATIVE STABILITY AND UNCERTAIN FUTURE: THE VIEW FROM LATVIA**

The interstate the border status and the signing of the border treaty between the two states have been the most widely discussed issues over the last three years in Latvian-Russian bilateral relations. The main differences between the states' positions are about the status of the Abrene district (or current Pytalovskii region of the Russian Federation).<sup>212</sup> Twice – in 1997 and in 2005 – the two governments considered signing a treaty, but neither time did pursue these intentions. As of the summer 2006, the prospects for signing the border treaty remain unclear and the situation around the whole issue has developed into a precarious stalemate. Apparently, neither side has any incentive to move neither forward with the signing of the treaty nor with a solution to the problem.

The border dispute is at the center of relationship problems between the two states. First, there are issues of international law involved such as the recognition of occupation and the illegal annexation of Latvian territory. Second, both Latvia and Russia maintain rigid and disparate positions in regard to the historical interpretation of the events of the 1940's. Third, the border dispute reveals the inconsistencies in the policies of Latvia and Russia regarding to the status and the new border treaty. In other words, the dispute over the border is not a single issue; it is a package of problems. Thus the ability to solve them is a litmus test for the maturity of bilateral relations between the states. A solution to border problem has not been reached during the last fifteen years.

In this dispute the neighbors have opposing arguments. Latvia claims that the border problem was created by the chain of events in 1939 and 1940: namely the Soviet and Nazi non-aggression treaty and the occupation, and incorporation of Latvia into the Soviet Union.<sup>213</sup> After 1991, Latvia pursued a non-recognition policy towards the transfer of the Abrene district to the Russian Federation. Russia, on the other hand, grounded its

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<sup>212</sup> In this chapter both names of disputed territory - Latvian *Abrene* and Russian *Pytalovo* - are used referenced to the position of the respective country.

<sup>213</sup> The secret additional protocols of the German-Soviet Treaty of Non-aggression (or the so-called Ribbentrop-Molotov pact) assumed the "territorial and political rearrangements in the areas belonging to the Baltic States (Finland, Estonia, Latvia, and Lithuania)..." The text of the secret additional protocol available in George F. Kennan, *Soviet Foreign Policy: 1917-1941*, Greenwood Press, Publishers, Westport, Connecticut, 1960, 178.

interpretation of the border problem on the provisions of the Helsinki Final Act, which introduced the principle of inviolability of state borders in Europe. By this provision, Russia claimed that the administrative border between Latvia and Russia at the moment of the collapse of the Soviet Union must be determined as the legitimate border. The current stalemate hinders the development of Latvian-Russian relations in other spheres and is the most explicit example of how the past impedes policymaking and prospects for future cooperation.

This chapter argues that even if international law establishes Latvian rights over the district of Abrene, the border dispute seems unsolvable without mutual political commitment and compromise. Any expectation to achieve “absolute” victory in this dispute, from one side or the other, should be considered unrealistic. I also argue that Russia as successor of the Soviet Union, must take the significant step of admitting that the problem of the Abrene district derives from the purposeful political actions of the Soviet government in 1944 and 1946 that were neither legal nor democratic.

The evidence brought out in this chapter reveals that over the last three years Latvia and Russia have been trying to move their relationship into the future using modifications to border dispute policies formulated a decade ago, leading to inconsistent actions and confusion about the real intentions of both states. This chapter explains the roots of the border problem, the official positions and policies of Latvia and Russia, and the practical implementation of policies. The Chapter suggests the possible ways of solving the problem.

#### **A. HISTORICAL BACKGROUND OF THE BORDER PROBLEM**

The border of the Republic of Latvia and the Russian Federative Socialist Republic was stipulated by the Latvian-Russian Peace treaty signed in Riga on August 11, 1920. According to this treaty “Russia recognizes without objection the independence and sovereignty of the Latvian State and forever renounces all sovereign rights held by



Russia in relation to the Latvian nation and land on the basis of the previous State legal regime as well as any international agreements...”<sup>214</sup> The Treaty also established the border between both states.<sup>215</sup>

Before World War II the district of Abrene, including six parishes, comprised approximately two percent of Latvian territory with a population of 35,000.<sup>216</sup> The Peace treaty became such an important legal document that legal reference to it is included in the Constitution of Latvia (Satversme). More specifically, Article Three of Satversme stipulates “the territory of the State of Latvia, within the borders established by international agreements...”<sup>217</sup> and only international agreement that establishes a Latvian border with Russia is the Riga Peace Treaty.

In the twenty years between signing of the Peace Treaty and the Soviet occupation of Latvia, both states confirmed their commitment to respect the interstate borders. On February 5, 1932, Latvia and the Soviet Union signed a non-aggression treaty that was based on the Riga Peace Treaty, which “inalterably and for all time form the firm basis” of Latvian and Soviet inter-state relationships.<sup>218</sup> According to non-aggression treaty, Latvia and Russia confirmed commitment to respect the territorial integrity of both states. On October 5, 1939 Russia and Latvia signed another treaty in which both states made reference to the Riga Peace Treaty. However, the “mutual assistance pact,”<sup>219</sup> as it is known, actually established rights for a limited presence of Soviet ground forces and Navy on Latvian soil.<sup>220</sup> This treaty stipulates that the Peace Treaty and Non-aggression Treaty comprise the firm foundation of bilateral relations

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<sup>214</sup> Article II of the Peace Treaty. Text of the Treaty available online at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/peace-treaty> accessed on December 8, 2005.

<sup>215</sup> See Article III of the Peace Treaty.

<sup>216</sup> This number, however, cannot be expected to be precise, due to the military operations of World War II and the massive emigration of much of the population from the area by the 1944. Dietrich Loeber, for example, in his publications about the Abrene district mentions the number 50,000.

<sup>217</sup> The Constitution of Latvia, available online at the web page of Latvian Parliament at [http://www.saeima.lv/index\\_eng.html](http://www.saeima.lv/index_eng.html) accessed on December 9, 2005.

<sup>218</sup> The text of the Non-aggression Treaty of 1932 cited in *Occupation of Latvia: Three Occupations 1940-1991: Soviet and Nazi Takeovers and Their Consequences*, Occupation Museum Foundation Riga, 2004, 6.

<sup>219</sup> *Ibid.*, 6.

<sup>220</sup> Similar treaties were signed with Lithuania and Estonia at approximately the same time.

between Latvia and Russia. Even so, in June 1940 the Soviet Union occupied the Baltic States and incorporated Latvia, thus creating dramatic political changes in the country.

In July of 1944, Soviet troops re-entered Latvian territory following the retreat of German army units. On August 22, 1944, the Supreme Soviet of the Latvian Soviet Socialist Republic made the decision to transfer three districts of Latvian territory to Russia.<sup>221</sup> The Presidium of the Supreme Soviet of the USSR supported this petition based on “repeated requests” of the population of the Abrene district,<sup>222</sup> and in 1946 these changes were stipulated in the Soviet legislation.<sup>223</sup>

In 1990-1991 the border issue was again on the political agenda because the Latvian Declaration of Independence obliged the Latvian government to negotiate relations with the Soviet Union based on the Riga Peace Treaty of August 11, 1920,<sup>224</sup> which obliged the Latvian government to talk about the status and future of the Abrene district. The disputed territories were left with only a temporary demarcation line “until the issue has been decided in negotiations with the Russian Federation.”<sup>225</sup>

These negotiations on the state borders started after the collapse of the Soviet Union in 1991. Since 1992, the discussion about Abrene has been constrained by the Latvian political position to re-establish Latvian statehood and apply the previously binding Latvian-Russian Peace treaty. Other challenges to negotiation are consequences of the occupation and the Russian position to refuse recognition of the occupation, and claiming the legitimacy of border changes of 1944 and 1946. The Latvian-Russian governmental commission prepared a de facto demarcation line by the end of 1997 or so

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<sup>221</sup> Decree of the Supreme Soviet of Latvian SSR, cited in Dietrich Loeber *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of International Law, Vol. 2, 1995, 540.

<sup>222</sup> Ibid., 541.

<sup>223</sup> Dietrich Loeber in his research *Russian-Latvian Territorial Dispute Over Abrene* makes reference to the Decree of the Presidium of the Supreme Soviet of the Latvian SSR *On Establishing the Border between the Latvian SSR and RSFSR*, October 5, 1946 and *Ukaz Prezidiuma Verkhovnogo soveta SSSR ob utverzhdenii izmenenii granitsy mezhdur Latvinskoi SSR i RSFSR* [Edict of the Presidium of the Supreme Soviet of the USSR: On Confirming the Changes of the Border between the Latvian SSR and RSFSR], October 19, 1946.

<sup>224</sup> See the web page of the Parliament of Latvia at [http://www.saeima.lv/4maijs/docs/d\\_4maijs.htm](http://www.saeima.lv/4maijs/docs/d_4maijs.htm) accessed on December 5, 2005.

<sup>225</sup> Dietrich Loeber *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of International Law, Vol. 2, 1995, 542.

called “technical agreement.”<sup>226</sup> The government of Latvia supported a draft treaty on December 9, 1997, but failed to gain support for the signing and ratification of the treaty in Parliament. Initially the provisions of the new border treaty were kept secret from the Latvian society, but it was clear that the Latvian government was ready to sign the border treaty without establishing territorial claims. The Russian government refused, because of other political issues to ratify the document. Both states continued to maintain their positions on the issue.

From 1998-2004 Latvian-Russian relations were regularly shaken by a fever of distrust and countless mutual insults. In such an atmosphere, achieving the agreement on the interstate borders did not seem likely and the process was temporarily disrupted.

In late fall of 2004, Russia expressed an interest in signing the border treaty and the negotiation process re-started.<sup>227</sup> Nonetheless, in spring 2005, on the eve of the 60th Anniversary of the victory of the Soviet Union in WWII, Russian-Latvian political dialog reached new heights of disagreement. Since arguments about the events at the end of World War II, and after directly touched upon changes to the Latvian-Russian border, the option to sign the new border treaty again appeared on the bilateral agenda. Now the dispute over the new border's legitimacy triggered the antagonistic positions of both parties concerning recognition of occupation and the overall evaluation of the outcome of World War II. Again, both states prepared the earlier version of the border treaty for signing planned for May 10, 2005, as part of the EU-Russian negotiations.

Meanwhile, in Latvia, after ill-prepared and controversial debate among the public as well as foreign policy experts, the politicians came to an agreement that signing the border treaty without its having a reference to the Riga Peace Treaty was not possible.<sup>228</sup> In April 26, 2005, the Latvian government adopted the explanatory

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<sup>226</sup> The draft treaty can be called a “technical agreement” only theoretically, because the formulations within the treaty speak about “state border” not about “line of demarcation.”

<sup>227</sup> The interest of Russia was emphasized in the interview of the minister of Foreign Affairs of Latvia Artis Pabriks to monthly magazine *Rīgas laiks*, Riga, August, 2005.

<sup>228</sup> Aleksandrs Kiršteins, *Shall We Raise a Toast to The Aggressors on May 9*, available online at news portal *Apollo* at <http://www.apollo.lv/portal/news/73/articles/37938> accessed on December 9, 2005. Mr. Kiršteins is the former Chairman of Foreign Commission of Parliament of the Republic of Latvia, translation from Latvian.

amendment to the draft border treaty in the form of a declaration that would make clear that the current border status not being the result of the will of Latvia might redress the problem in the future.<sup>229</sup>

This Latvian position was unacceptable for Russia. On April 29, the Russian MFA informed the Russian media that the signing of the treaty was impossible until Latvia releases its territorial claims to Russia. The Russian Ministry of Foreign Affairs claimed that “the text of declaration in fact points to the territorial claims, (and) denies the border Treaty between two states its aim and goal.”<sup>230</sup>

Currently, both sides maintain their positions and the only prepared draft treaty is the one confirming the borders in their existing status, namely, leaving Abrene (Pytalovo) under the jurisdiction of Russia. Signing the border treaty in the foreseeable future does not seem likely. Also, a solution to the whole complex of political disagreements between Latvia and Russia is far from a final resolution.

## **B. LATVIAN POSITION AND POLICY: A SOLUTION ACCORDING TO INTERNATIONAL LAW**

The Latvian position towards the issue of returning occupied territory has never been politically unequivocal. The Parliament of Latvia did accept the decision for non-recognition of the annexation of the Abrene district.<sup>231</sup> However, this decision does not contain a strong demand for transferring the territory of the Abrene district to Latvia. According to the Foreign Policy Concept of 1995, Latvia claimed that the border problem of the Abrene district must be solved according to internationally recognized norms.<sup>232</sup> In this sense, proposed Latvian readiness to sign the treaty makes clear that the principal “non-recognition” of the *de facto* situation; however, it does not provide Latvian society and government with the envisioned end state.

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<sup>229</sup> See the declaration of Parliament of Latvia on the border treaty between Latvia and Russia, available online at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/statement/Declaration/> accessed on March 27, 2006.

<sup>230</sup> The Commentary of the Ministry of foreign Affairs of Russian Federation at <http://www.mid.ru/ns-reuro.nsf/348bd0da1d5a7185432569e700419c7a/432569d80022027ec3256ff100487f8a?OpenDocument> accessed on March 27, 2006.

<sup>231</sup> See the web page of the Parliament of Latvia at <http://www.saeima.lv/4maijs/docs/4sesija.htm> accessed on December 5, 2005.

<sup>232</sup> See the web page of the Parliament of Latvia at <http://www.saeima.lv/AK/dokumenti-koncepcija-div.html> accessed on December 5, 2005.

Since 2005 draft policy guidelines<sup>233</sup> do not reference the border problem, the current policy in regard to the border dispute can only be calculated from the statements of Latvian politicians in the media and in the public environment in general. Thus, the Latvian minister of foreign affairs, introducing the draft policy guidelines, claimed that “the signing of the border treaty with Russia is a significant precondition”<sup>234</sup> in order to ensure successful cooperation with other EU states in the spheres of internal affairs and justice. This position, actually, does not contradict or challenge the position that the Latvian Parliament established a decade earlier. Other founding policy documents, such as NSC, also do not speak about the border problem as a possible risk for the national security. Nor is the necessity to solve the border problem mentioned in declarations of Cabinet actions of Latvia, as we saw in previous chapters.<sup>235</sup> Hence, for Latvia the solution to the border problem is not a national security priority.

The lack of reference to the importance of the Latvian border in updated policy papers nevertheless is misleading. The statement included in the Foreign Policy Concept of 1995 should be considered valid,<sup>236</sup> but the abstention from restating the official position of 1995 can be explained by the sensitivity of the problem and the lack of firm policy towards the treaty.

The Foreign Policy Concept of 1995 determines the Latvian position, based on provisions of international law, and demands restoration of the boundaries existing prior to occupation – i.e. June 17, 1940. Since Latvia was occupied the decisions made by the Soviet puppet authorities concerning the transfer of the Abrene district into the Russian Federation were completed unconstitutionally and were invalid. This claim has a strong foundation, because there is no sufficient ground “to invoke ‘change of circumstances’ (*clausula rebus sic stantibus*) with respect to the peace treaties of 1920.”<sup>237</sup>

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<sup>233</sup> New foreign policy guidelines were introduced in the government by the end of 2004 by Minister of Foreign Affairs Artis Pabriks.

<sup>234</sup> Artis Pabriks, *Jaunie ārpolitikas ceļi rādītāji (New signposts of foreign policy)*, *Diena*, November 11, 2004.

<sup>235</sup> See the web page of the Cabinet of Ministers of the Republic of Latvia, available at <http://www.mk.gov.lv/index.php/?id=30> accessed on April 3, 2006.

<sup>236</sup> The Foreign Policy Concept determined Latvian Foreign policy until 2005.

<sup>237</sup> Lauri Mälksoo, *Illegal Annexation and State Continuity: The Case of Incorporation of the Baltic States by the USSR: A Study of the Tension between Normativity and Power in International Law*, Martinus Nijhof Publishers, Leiden/Boston, The Hague, 2003, 248.

In the field of practical politics, however, that the demands of Latvia are very controversial was mirrored by the extensive domestic debate throughout 2005. The official position, expressed in policy documents and statements during the last decade, has been not actively pursued in practical terms. The obvious discrepancy between stated policy goals and the actions of government officials creates an impression that Latvia does not have a convincing policy in regard to its Eastern border, and actions rather deriving from available options in any given situation. This assumption is based on two observations: the Latvian efforts to internationalize the issue along with official and public statements.

### **1. Limits of Internationalization**

During the last fifteen years Latvia did not undertake any significant steps to seek internationalization of the border issue in order to achieve the results stipulated by the Foreign Policy Concept. On the official level, the search for alternate solutions was also minimal. Thus the negotiations with Russia which started in 1991 remained the only practical policy instrument for the solution of this problem. In order to involve the international community into the solution of the border dispute, the options available for Latvia were essentially two: a) the International Court of Justice (ICJ); and b) the European Union (EU). Other theoretically possible options for discussion of this issue are within the framework of regional political organizations such as Council of Baltic Sea States or even the Organization for Security and Cooperation in Europe (OSCE); these organizations, however, by the nature of aim or actions directly do not deal with the solution of the border problems.<sup>238</sup>

#### ***a. International Court of Justice***

The ICJ, as has been proved by cases of land and maritime disputes between states around the world, is regarded by the international community as competent and authoritative to deal with problems in its jurisdiction.<sup>239</sup> A judicial solution involving the ICJ would fit into Latvian policy goals; nevertheless, Latvia has never

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<sup>238</sup> One of the main political organizations of the Northern Dimension, the Nordic Council of Ministers, in late autumn 2005 expressed support for the Estonian position in its border dispute with Russia. Even though politically important, it does not pursue any further action and therefore the *internationalization* of the issue in this case could not be considered as established institutionally.

<sup>239</sup> See the electronic catalog of cases of International Court of Justice at <http://www.icj-cij.org/icjwww/idecisions.htm> accessed on March 18, 2006.

expressed such a proposal. According to Loeber, neither Latvia nor Russia recognizes the jurisdiction of the ICJ in this case.<sup>240</sup> William Slomanson explains that the ICJ “does not have the power to hear cases, absent the express consent of the defendant nation.”<sup>241</sup> From this perspective, the ICJ and international regimes in general, have only as much power and influence as the member states are willing to accept. Hence, the possibility to hear a “Latvia vs. Russia” case in the ICJ seems unlikely in the future, too.

These constraints, even the most important ones, are not the only factors behind Latvia’s abstaining from using the ICJ as a tool for solving the border dispute. There is also an important political subtext. In light of the dramatic disagreements between Latvia and Russia on the historical interpretation of this issue, a ruling of the ICJ would probably create a solution for the border problem, but not address the whole complex of disagreements that surround this issue.

The context of the whole spectrum of Latvian-Russian relations prevented the utility of an “ICJ option.” For example, from 1991-1994 Latvia had one overarching policy goal to be achieved in relations with Russia: the withdrawal of the Russian military from Latvian soil. Any ICJ case most definitely would not facilitate already complicated negotiations on this matter and the physical withdrawal in general. Later, the integration process into NATO and the EU also affected the foreign policy agenda in a way that the border dispute was put aside. In the early 2000’s Russia was also interested keeping the border treaty issue low on the priority list, because its political weakness suggested possibilities that the unsolved border problem could become an impediment for Latvian participation in the EU. Such expectations of the Russian side were legitimate, because, as Loeber mentions, the Pact for Stability in Europe, signed in Paris in 1995 called potential candidate states “to solve their territorial disputes, if they wish to qualify as candidates for membership in the European Union and in NATO.”<sup>242</sup> But no objections eventually were put in the way of Latvia (and by the same matter Estonia) to become a

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<sup>240</sup> Dietrich Loeber *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of International Law, Vol. 2, 1995, 558.

<sup>241</sup> William R. Slomanson, *Fundamental Perspectives on International Law*, Wadsworth, Thomson, Fourth ed., 2003, 10.

<sup>242</sup> Dietrich Loeber *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of International Law, Vol. 2, 1995, 558.

member of the EU and NATO. Hence, “the EU option” seems natural for internationalization of the border issue after Latvia became a member of the Union.

***b. The European Option***

The border of Latvia and Russia is at the same time the border of the EU and Russia, therefore the influence and political authority of the EU should be expected to create conditions for finding an acceptable solution. A successful example, how the cooperation problems of one of its members and Russia could be transformed into the framework of the EU-Russia negotiations is handling of problem of Kaliningrad. Here, Lithuania and Russia could not find a solution of the Russian military transit, was transformed from the bilateral into the multilateral framework as early as 2001, - i.e. before Lithuania became a member of the EU.<sup>243</sup>

The position of the EU towards the border problems of Latvia always has been expressed very diplomatically and essentially favored the improvement of Latvian relations with Russia in the border dispute. The requirement to have solved border problems before consideration of membership in the EU was not enforced in the Latvian case, however.

The EU also never became involved in an active mediation between Latvia and Russia concerning bilateral discrepancies. The Foreign Relations Commissioner Benita Ferrero-Waldner expressed the opinion that the European Commission will do everything possible to urge Russia to sign a border treaty even before the celebrations of the end of World War II in May 2005.<sup>244</sup> High Representative for the Common Foreign and Security Policy, Secretary-General of the Council of the European Union Javier Solana stated that he persistently works with the border problem of Latvia. At the same time he explained the cautious European position in regard to the dispute by saying that “we have to avoid statements that could make the situation complicated.”<sup>245</sup> Obviously, the diplomatic language of European leaders does not

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<sup>243</sup> See the position of the EU in *Overview of the EU-Russian relations* available online at the internet portal of the European Union at [http://europa.eu.int/comm/external\\_relations/russia/intro/index.htm](http://europa.eu.int/comm/external_relations/russia/intro/index.htm) accessed on March 19, 2006.

<sup>244</sup> See the news report of agency LETA from April 28, 2005, available online at the news agency LETA webpage at [www.leta.lv](http://www.leta.lv) accessed on April 18, 2006.



encourage Latvians to stay on their positions to solve the border issue “according to international norms,” because it inevitably would end with increasing cooperation problems with Russia, which is more than likely a “no” to the EU leadership option.

At one moment in the spring of 2005 prospects for intervention of the EU in order to solve the problems of one of the newest members of the Union (Latvia) seemed realistic. Commissioner Ferrero-Waldner pointed out that on May 10, 2005 during the EU-Russia summit, both sides agreed to determine signing and ratifying the border treaties “a priority for development of the EU-Russia relations.”<sup>246</sup> The President of the European Commission Jose Manuel Barroso claimed that the situation between Latvia and Russia should be considered “very serious” and on May 13 he was ready to become a mediator between the two states. In a similar way Javier Solana was also ready to intervene in the dispute.<sup>247</sup> Even more, according to Latvian media, some Latvian diplomats sincerely believed that the agreements reached in Moscow on May 10 would remain on the paper only, if the “Latvian problem” would not find its solution.<sup>248</sup>

The European position changed significantly in May 2005. A week after the overwhelmingly optimistic statements of EU leaders, Ferrero-Waldner suddenly claimed that the border issue was a “primarily bilateral problem.”<sup>249</sup> The minister of foreign affairs of Latvia Artis Pabriks announced that since the EU does not express a unitary position on foreign policy “currently we cannot expect the EU to intervene in the

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<sup>245</sup> Sanita Jemberga, *Baltiešu Problēmu Ignorēšanu Eiropas Savienības un Krievijas Sammitā Prezidentūras Pārstāvji Attaisno ar Laika Trūkumu (The Ignorance of the Baltic Problem During the Summit of the European Union and Russia Justified by the Shortage of Time)*, *Diena*, Riga, October 6, 2005

<sup>246</sup> The excerpts from the response of Benita Ferrero-Waldner to the letter of Chairman of Foreign Relations Committee Elmar Brok and Tomas Hendrik Ilves, see news agency LETA report from November 15, 2005, at [www.leta.lv](http://www.leta.lv), accessed on March 28, 2006

<sup>247</sup> Ansis Bogustovs, *Barozu Piedāvā Sevi Kā Vidutāju (Barosso Offers Himself as a Mediator)*, *Latvijas Avīze*, May 13, 2005. Interestingly, two days later the Press office of the President of the European Commission claimed that media misinterpreted the words of Barozu. According to the latest interpretation, Barozu, never used word „mediation” in his conversations. A similar correction, according to media reports, happened also to the position of Solana. Both officials in the middle of May were ready to support Latvians, but not mediate their problems with Russia.

<sup>248</sup> Ansis Bogustovs, *Barozu Nebūs Vidutājs (Barosso Will Not Be a Mediator)*, *Latvijas Avīze*, May 14, 2005.

<sup>249</sup> The position of Ferrero-Waldner expressed in Estonian TV, reference in news agency LETA report on May 18, 2005, at [www.leta.lv](http://www.leta.lv) accessed on March 28, 2005.

Latvian-Russian border treaty.”<sup>250</sup> The situation continued to deteriorate further by the statement of the Head of Bureau of Commissary for Energy Andris Kēsteris in August 2005. He pointed out that the adoption of the unilateral declaration creates a special situation and that “Latvia should handle the situation by herself.”<sup>251</sup> While the EU leaders sent one inconsistent message after another, Prime Minister Aigars Kalvītis stated that signing the new treaty in the current situation is not a priority of Latvia.<sup>252</sup>

Eventually, in early December the Commissar confirmed her position and said to Estonian *Eesti Päevaleht* that the border treaty should be “mostly solved bilaterally...”<sup>253</sup> The European Parliamentarians expressed a totally different position, saying that “unsigned border treaties is still one of the priorities in relations with Moscow and cannot be considered a bilaterally solvable problem.”<sup>254</sup> The parliamentarians stated that even if judicially the border dispute could be seen as a bilateral issue, from a political perspective, as the Chairman of Foreign Relations Committee of the Parliament of Europe Elmar Brok said, a “different level of security in its regions is unacceptable.”<sup>255</sup>

The bottom line of the European position, even though highly controversial, is comprised of two aspects. First, the changing position of the EU signals that the Union does not have a convincing position on how to solve the border problem between Latvia and Russia. It would not be acceptable for the EU not to deal with this problem at all, because even if the antagonistic tendencies between Latvia and Russia currently are in the latent phase, they still have potential to escalate into something more

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<sup>250</sup> Interview with Artis Pabriks to *Latvian radio* on July 18, 2005; excerpts available online at news agency LETA web page at [www.leta.lv](http://www.leta.lv), accessed on March 29, 2006

<sup>251</sup> Excerpts from the interview of Andris Kesteris to the TV program *Nedēļa* (A Week) of Latvian Independent television on August 13, 2006, cited in [www.leta.lv](http://www.leta.lv) accessed on March 28, 2006.

<sup>252</sup> News agency LETA, news report from June 10, 2005 available online at news agency LETA web page at [www.leta.lv](http://www.leta.lv) For reference see also excerpts from response of Benita Ferrero-Waldner to the letter of Chairmen of Foreign Relations Committee Elmar Brok and Tomas Hendrik Ilves, available online at [www.leta.lv](http://www.leta.lv) news report from November 15, 2005, accessed on March 28, 2006.

<sup>253</sup> Excerpts from the interview with Benita Ferrero-Waldner quoted by the news agency LETA. Available online at news agency LETA web page at [www.leta.lv](http://www.leta.lv) news report from December 12, 2005, accessed on March 28, 2006.

<sup>254</sup> Sanita Jemberga, *ES Krievijai Atkārtoti Norāda, ka Baltiešu Robežlīgumi Nav Divpusēja Problēma* (The EU Repeatedly State to Russia That Border Treaties of the Baltics Are Not a Bilateral Problem), *Diena*, October 12, 2005.

<sup>255</sup> Ibid.

profound and thus eventually endanger cooperative prospects between Russia and the EU. Moreover, leaving one of the Union's members, Latvia, alone against Russia could be a wrong signal for other European states and potential democracies such as Moldova and Ukraine, who also have their own problem agenda with Russia.

The second aspect is that the outcome of the border dispute in the Latvian case could only be considered successful from the perspective of Europeans if situation remains status quo. As observed from changing public statements by European leaders, interaction with Russia over small piece of former Latvian territory is apparently not an option in Europe.<sup>256</sup> Signals, which Latvia received concerning the halt of EU involvement in the dispute does not, however, mean that the EU would lose interest in the issue in general. But the EU obviously will not support any changes of interstate borders in Europe out of concerns of chain reaction, and thus the EU position is clear: status quo must be maintained and solutions must be found deriving from this legal principle.

This assumption also explains the changes in the EU position towards the problem, because no other policy changes towards Latvia or Russia could be observed at the time; no dramatic disagreements between Latvia and the EU can be found in the public media environment and, moreover, the unsigned border treaty does not create some kind of new political situation in relations between Latvia and Russia or the EU and Russia. The only significant factor influencing the change of the EU position is Latvia's adoption of the unilateral declaration.

Thus the attempt to internationalize pressure on Russia through the EU appeared unsuccessful, at least in the form Latvia desired. In the future the EU will follow the development of the border situation, but as an institution will most likely maintain low profile political involvement, and the solution of the problem will indeed be sought in a bilateral framework.

### *c. Alternative Solutions*

Besides attempts to internationalize the border problem, Latvia pursued two other options which could be regarded as alternative ways to reach resolution on the border treaty. It must be said that these activities never were emphasized by Latvian

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<sup>256</sup> The language of the statements would be interesting enough to study separately. From all possible varieties of positions, none actually emphasized Latvian rights to claim the territory.

foreign policy makers and thus should not be considered as a crucial part of seeking the solution to the border problem. Here they are only mentioned as illustrations of the efforts of the Latvian government to gain from the loss of territory.

One of the alternatives was a compensation of five billion dollars for the lost territory that the Latvian parliament proposed in early 1992.<sup>257</sup> However, after Russia refused to discuss the matter and called this proposal “cartographic manipulations”<sup>258</sup> Latvia never pursued further discussions on this alternative, and after 1992 it did not appear on the negotiating table in any form.

Such an idea should not be considered wrong, because it generally fits into “solutions by international norms.” If Russia would agreed to pay, both states could consider that this was just a purchase of territory; all moral resentments, historical injustices and political capitalizations on the issue would not be on the agenda and this question would be part of the past. The reluctance to pursue a demand after refusal by Russia to agree on Latvian terms can be explained only by the belief within the Latvian political elite of the 1990’s that Abrene could be transformed back and that the district is not inevitably lost.

Also relatively unsuccessful was the attempt to solidify the Baltic position in regard to the border problem. After Lithuanian and Estonian leaders refused to join the Latvian President Vīķe-Freiberga in Moscow during the celebration of the end of World War II, the three states actually never reinforced their traditionally strong commitment for a similar position towards Russia concerning events in past. This would be particularly important in the cases of Latvia and Estonia, whose border problems are identical. Even if it did not create any significant schism among the Baltic States, the obvious reservation to express observable political support for each other signals that the Baltic States prefer to pursue individual agendas with Russia, and do not want to be tied into one chain of foreign policy that would limit their individual options.

If a solely judicial solution of the border problem, one which leaves little doubt about Latvia’s strong and legitimate position, is not likely, the political process

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<sup>257</sup> John B. Allcock, et.al (ed.), *Border and Territorial disputes* Longman Current Affairs, 3<sup>rd</sup> edition, 1992, 35.

<sup>258</sup> Ibid., 35.

requires preparedness to bargain and compromise. It does not mean, though, that a foreign policy goal to solve the border issue according to “international norms” would not be achievable. It only confirms that words and deeds of Latvian policy towards the Abrene district from the very beginning have gone different, and to a large extent, distinct, paths. The political process during last ten years, basically, has left Latvia with only one foreign policy option, namely, direct bilateral engagement with Russia. The EU, as evidenced by the position its officials, would facilitate any political process between Latvia and Russia which leads to the solution of the border problem, but not intervene directly. From the Latvian point of view, if the EU led mediation of the problem, it would not lead to the transfer of Abrene back to Latvia; therefore, such mediation is apparently not desired and the return to it is not necessary.

To sum up, the whole process of border negotiations, failure of “internationalization policy,” and reaching a preliminary agreement on interstate borders in 1997 actually points to the natural limits of Latvian foreign policy in regard to the border problem, namely, that not all possible policy instruments are available for practical actions. At the same time, in cases of the ICJ and the EU, the Latvian position has not been pursued with the efforts necessary for the state to regain the territory of the Abrene district.

## **2. Political Elite and Domestic Constraints on the Border Problem**

In the situation of rather symbolic international support and involvement, Latvia has been left with two options: to continue seeking judicial non-recognition of the current status of the Abrene district or to comply with the *de facto* situation and sign the border treaty without certain preconditions and therefore to appease the all vested interests.

From the foreign policy perspective, the first option seems hard to maintain. Latvia does not have any leverage on Russia to change its position in the most fundamental of discrepancies, namely, the illegality of Soviet actions after World War II. Thus the second option, which in fact was consequently pursued by the Ministry of Foreign Affairs of Latvia during the 1990's, still seems the most prudent and realistic. At the same time it must be said that an unconditional signing of the treaty should not be pursued, because such an option leaves Latvian foreign policy makers without any further

possibilities to claim the recognition of occupation. Moreover, Latvian society would remain divided on this issue and would strengthen national radicalism.

From the domestic perspective, though, the situation is rather different. The second option is the harder one, because it requires explaining the difficult choices of foreign policy makers to the public, and pursuing strong domestic *realpolitik* that would put more important issues before less important ones, leaving policy makers free to discuss and eventually to open prospects for cooperation with Russia. Dealing with these difficulties in a year when the parliamentary elections are scheduled seems too heavy a burden for the ruling political forces.<sup>259</sup> Moreover, the solution of the Abrene problem denies the ultra-right political forces a substantial portion of their rhetoric. Continuing to seek a legal solution does not, in fact, change the existing situation where the policy of “negative stability” – i.e. stalemate or stability without positive development – has been pursued by the current Latvian government.

Before the developing further policies, Latvia has to answer the question whether the Abrene district is essential to Latvian self-determination, and to solve two internal impediments, namely, constitutional constraints and the reaching of consensus among the political elite concerning the Abrene district.

**a. A Problem of Political Consensus**

In an interview to the Russian newspaper *Izvestija* President Vīķe-Freiberga said that “Latvia does not have a territorial claim to the retrieval of the Abrene district. We really do not want it.”<sup>260</sup> This opinion, however, has been almost the only one voiced for lifting the non-recognition policy. The opinion of the president has not been openly shared by the majority of Latvian politicians, including of those of the currently ruling coalition. The position of the government, as expressed in an adopted amendment, does not imply readiness of the ruling elite to lift demands for re-transfer of the Abrene district. On the other hand, the draft treaty, if signed, would confirm the status quo. More

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<sup>259</sup> The elections of the Parliament of Latvia (Saeima) take place every four years. The next elections are scheduled for October 7, 2006.

<sup>260</sup> See the reference on the interview of President Vaira Vīķe-Freiberga to *Izvestija*, December 23, 2005. Excerpts available online at news portal TVNET web page at <http://www.tvnet.lv/zinas/printArticle.php?id=117493> accessed on March 18, 2006.

conservative right wing organizations and the most visible leaders of this political spectrum have called the possible signing of current version of the border treaty unacceptable and even more, treason.<sup>261</sup>

Latvian society is divided over the border problem. According to public polls, the Latvian population by and large supports the actual borders and only one fifth of the population considers the current situation inadequate for Latvian interests.<sup>262</sup> From this perspective, even if the government feels internal pressure, it has majority support for an active, rather than passive policy to finally resolve the issue.

The domestic debate, though, was not handled and managed well. When Minister of Foreign Affairs, Artis Pabriks, claimed in public media that he was not free to reveal Latvian foreign policy plans towards the solution of the border treaty, he justified it by saying “that people in some embassies are listening right now to what we are saying.”<sup>263</sup> The nature of diplomacy, indeed, does not always permit revealing a developing “statement of policy.” But in this case, when a decision must be made about the future of national territorial claims, the exclusion of public groups, such as NGO’s or academics, from the decision making process leads to an impression of “diplomacy a la Kissinger,” in which the solution of the Abrene district, with hindsight would be found without the consent of society. The classified status of the draft treaty, which has been maintained for more than seven years, is additional evidence that the involvement of society in disputes about Abrene was considered unproductive and thus terminable.<sup>264</sup> The assumption that the border problem can be solved without involving a broad spectrum of society is wrong. Political organizations and academics, left without a serious

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<sup>261</sup> Raivis Dzintars, *Nacionālie Spēki Pret Jaunu Robežlīgumu (National Forces Against the New Border Treaty)*, *Latvijas Avīze*, April 17, 2005.

<sup>262</sup> Data from the weekly TV program *Nedēļa (A Week)* based on a survey of the company *SKDS*; in June 2005, 53. 9 per cent of Latvians considered signing the treaty necessary, even if it leaves the Abrene district in Russia. 22. 9 per cent were against it and 23. 2 percent did not have a definite opinion.

<sup>263</sup> Public debates *Kas notiek Latvijā? (What is going on in Latvia?)*, Latvian Television, January 9, 2005.

<sup>264</sup> Here I also argue that lifting the status of confidentiality of the draft Latvian-Russian border treaty on April 26, 2005 is not so much a sign of maturity of the political leaders of Latvia than the democratic achievement of the civil society in Latvia, which was able to create and maintain pressure on bureaucratic institutions in order to force the government to be more transparent and understandable.

explanations about the intentions and political gains of the Latvian government to have treaty signed, used a last resort and pointed to constraints imposed by the Constitution to impede the signing of the treaty.

Internal disunity points to weakness in the Latvian political elite, which instead of being busy with policy formulation towards the Abrene problem, puts effort into constructing rationalizations that have them not politically responsible for leaving the Abrene district in the possession of Russia. The border problem itself does not worry the political elite. Domestic “realists” have a genuine fear that the political force, which would back the retreat from demands concerning the Abrene district, would be fiercely attacked by all political forces to the center and right of the political spectrum, and that the current leadership coalition would eventually lose political power. This is why no politician openly agreed with the president of Latvia when she claimed no interest in the Abrene district, because according to the Constitution the president does not maintain significant political responsibility and thus is free by the numerous traps of party politics.

In the light of the argument above, the passivity of Latvian foreign policy in the Abrene direction is fully explained. If no political gain can be extracted for the political actors, their interests to pursue any policy will be open to change. It does, however, also point to the narrow interests of bureaucratic party politics. In this case they appear in direct opposition to state interests and thus, paradoxically, lead to the loss of initiative and consequent weakening of the Latvian position in this dispute.

#### ***b. A Constitutional Constraint***

The difficulties in solving the problem of the Abrene district according to the Constitution of Latvia have been discussed widely enough by Latvian experts of jurisprudence; therefore the repetition of judicial arguments seems not necessary in this paper.<sup>265</sup> It is important, though, is to mention political implications of the Constitution and more specifically, whether the requirements of the Constitution, indeed, prevented implementation of active policy and what actually was the Latvian choice in this case.

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<sup>265</sup> See Dietrich Loeber, *Krievijas un Latvijas Teritoriālais Strīds Abrenes Jautājumā (Russian-Latvian Territorial Dispute Over Abrene)*, Jurista Vārds, Nr.18(373), 24.05.2005, Ineta Ziemeļe, *Robežlīgums ar Krieviju. Vai likums traucē politikai? (The Border Treaty with Russia. Is the law impeding politics)*, Diena, May 31, 2005



The essence of the Constitutional constraint is that Article Three of the Constitution, stipulating the borders of the Republic of Latvia (including the border between Latvia and Russia), cannot be changed without referendum, according to Article Seventy-Seven of the Constitution.<sup>266</sup> From this perspective any political action leading to the signing of the border treaty in the current form, without the consent of the populace, could be considered unconstitutional. Or to put it bluntly: before signing the border treaty with Russians, the Latvian side should be sure that it would not create any legal problem in regard to the legal status of state continuity.

Minister of Foreign Affairs Artis Pabriks explained that his request to experts to analyze the draft treaty from a legal point of view was already expressed in December 2004.<sup>267</sup> While experts were reviewing the case, foreign policy makers were basically trying to persuade the international community that Latvia sincerely wants to sign the treaty.<sup>268</sup> By the time it became evident that signing the treaty in its existing form did not seem possible, exactly because of the Constitutional constraint, “the time for a maneuver was very limited.”<sup>269</sup> It is, however, not entirely clear why the minister had mentioned time limitations as justification for the actions which followed. Even if some preliminary arrangements determined the preferable timeframe for signing the treaty, they were not political but in the nature of protocol. If so, there was no need to move on with premature decisions, because neither could they ensure any domestic nor international gains for Latvia, nor entirely solve the dispute. To put it otherwise, the signing of the treaty in Moscow on May 10, 2005 would put Russia in the better position, because Constitutional constraints would later prevent the treaty from being ratified in the Latvian parliament. The outcome of such actions would be an unpleasant scenario for Latvia: signing a treaty later proved unconstitutional by one of the signatories would create enormous damage national prestige and, what is even more important, would later

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<sup>266</sup> To be more specific, Article Three of Constitution of Latvia stipulates that Latvia “within the borders established by international agreements, consists of Vidzeme, Latgale, Kurzeme and Zemgale.” The international agreement that established the eastern border of Latvia is the Riga Peace Treaty. Latvia, regaining independence in 1991, proclaimed legal continuation of the republic of 1918 and thus the Riga Peace treaty became actually indivisible from the solution of the territorial dispute.

<sup>267</sup> See the interview of Artis Pabriks for monthly magazine *Rīgas Laiks*, Riga, August, 2005.

<sup>268</sup> Ibid.

<sup>269</sup> Ibid.

deny Latvian policy makers the possibility to link the signing of the treaty with the recognition of occupation due to loss of initiative in negotiations.<sup>270</sup> At the same time, the Latvian government was ready to sign the border treaty unconditionally even on May 19, 2005 claiming the hope that “Russia will act constructively and will sign the treaty ... with Latvia, in which we do not see any obstacles.”<sup>271</sup> Therefore, it is obvious that if the treaty had not been signed for almost eight years, time would not make the situation better or worse.

To balance the ambiguity of the situation, the Latvian government adopted an explanatory annex to the border treaty. The very intention to add the special opinion of Latvia emphasizing the particular issues in the treaty is positive. Russian reluctance to make reference to the founding document of interstate relations did leave only two options for Latvia: a) not to sign a treaty; b) sign it with special annex. Latvia chose the second. The declaration stipulates:

By signing the Border Agreement with the Russian Federation, Latvia, confirms its good will to promote good neighbourly relations with the Russian Federation and simultaneously expresses its satisfaction of the willingness of the Russian Federation to develop good neighbourly relations with Latvia. Latvia declares that by Article 1 of this Agreement it understands the *de facto* functioning line of demarcation dating from year 1990/1991, which is documented and technically described in the Annex of the Agreement. The only objective and subject of this Agreement is to document the abovementioned line of demarcation in order to ensure and to facilitate its practical functioning in the interests of both countries and their residents as well as in the mutual interests of the European Union and the Russian Federation. Latvia does not link this Agreement with the broader issue of the elimination of the consequences of the illegal occupation of Latvia. Latvia declares that this Agreement is not related and does not diminish, does not deprive the state of Latvia and its citizens of the rights and legal claims provided by international law, including the Peace Treaty between Latvia and Russia of August 11, 1920, and by state law of the Republic of Latvia pursuant to international law. Latvia stresses the fact that this Agreement is a result of the good will of both parties to the Agreement, provides reasons for optimism, and therefore it wishes to undertake efforts in order to solve the abovementioned issue in a

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<sup>270</sup> It is important to mention that the internal logic of negotiations determines that the side which loses the initiative will later hardly be able to dictate the rules of the dispute. In this case, Latvia later would be forced to sign the treaty in the same condition – i.e., disadvantageous for Latvia.

<sup>271</sup> The statement of the Ministry of Foreign Affairs of Latvia, available online at [www.leta.lv](http://www.leta.lv) news report from May 19, 2005.

way acceptable to both parties of the Agreement, and on the basis of these principles and in the interests of both countries to continue developing good neighbourly relations directed towards future and based on mutual respect and non-interference in the internal matters of the other state.<sup>272</sup>

From the spirit of the document we see that the Latvian government still maintains the policy formulated in 1995 – i.e., to continue the non-recognition of the incorporation of Abrene. By the provision of this annex the Latvian government is only willing to ensure the physical functioning of the border and not the solution of the Abrene problem. Latvia, therefore, can be expected to return to the problem of the border treaty whenever it deems necessary, even with no clear nation goal. Thus, for example, the concept of “elimination of the consequences of illegal occupation” is left for loose interpretation of politicians.<sup>273</sup> In the short term, adopting the annex gave some positive results. By the Russian refusal to sign a treaty, the Latvian government actually avoided the possibility of constitutional crisis. Moreover, domestically this outcome temporarily satisfied nationalistic politicians, too.

In the long term, though, the annex creates rather negative conditions for Latvia. First, Russia found itself in a convenient position to block any further proposals for negotiations concerning the border treaty, justifying it as “silly territorial claims” of Latvia.<sup>274</sup> It means that Russia has created its precondition for renewal of border normalization negotiations, and from the Russian perspective any improvements make sense only if Latvia lifts the annex to the treaty. Second, as Prime Minister Aigars Kalvītis pointed out, a retreat from the declaration is not possible.<sup>275</sup> Rightly so, because once Latvia gives up the declaration, the concept of “demarcation line” becomes

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<sup>272</sup> The text of the annex to the treaty (declaration) adopted by the government of Latvia on April 26, 2005, available online at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/statement/Declaration/> accessed on March 6, 2006.

<sup>273</sup> The “elimination of the consequences of illegal occupation” could include for example the transfer of Abrene back to Latvia, repatriation of Soviet-time colonists to their ethnic fatherland, as well as compensations for the damages of the Soviet regime to Latvian people, their properties, and environment. From this perspective only one problem has been certainly solved thus far: the withdrawal of the Soviet (Russian) troops from Latvia. The more radical the political organization is, the broader the interpretation of the consequences of occupation.

<sup>274</sup> The statement of the President of Russian Federation, available at the web page of news agency RIA-NOVOSTI at [www.rianovosti.ru](http://www.rianovosti.ru) accessed on April 4, 2006.

<sup>275</sup> Interview of Prime Minister Aigars Kalvītis to Latvian Television, reference available in [www.leta.lv](http://www.leta.lv) news report, May 24, 2005.

practically invalid and non-recognition policy actually collapses. Third, the refusal to link the signing of the treaty with the elimination of the consequences of Latvian occupation is built on expectations that Russia would be ready to re-evaluate its inherited past. It is, however, an idealistic delusion. This link is the only remaining policy option actually pushing Russians towards the re-interpretation of Soviet policies during the Stalinist period. After the unconditional signing of the treaty nothing would impede Russia from “open[ing a] new page in interstate relations”<sup>276</sup> – in other words, there would be no more discussions about the bilateral past – and would give Russia freedom from at least moral accountability for crimes committed by the Communist regime in Latvia. Such a connection between the recognition of occupation and the new border treaty must be a centerpiece of the border dispute rather than given secondary importance.

Thus, instead of broadening the issue, the government of Latvia pursued an intentional reduction of Latvian demands, and through the annex to the border treaty, in fact detached the border treaty from its historic roots. Kalvītis therefore is not entirely sincere when he claims that “the declaration approved by the Government... does not present territorial claims against Russia. This issue is not on the agenda of Latvian – Russian relations. Latvia will respect the borders defined by the prepared and initiated treaty.”<sup>277</sup> It is unlikely to “respect the borders” and at the same time to understand the border only as a “de facto functioning line of demarcation.”

Therefore, even if the position of the president of Latvia is that the signing of the border treaty aligns with Latvian national interests<sup>278</sup> in a well balanced way, this governmental action resulted in Latvia emerging from this process without any foreign or domestic political gains. Hence, we may conclude that the idea to sign the treaty with Russia in this situation was a wrong policy option. Moreover, the undeniable awareness of the Latvian political elite concerning constitutional constraint as early as April 2005

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<sup>276</sup> The draft political declaration between Russia and Latvia, and the Russian proposal. Both states never agreed on a final version of the declaration and it has not been signed. Available online at [www.leta.lv](http://www.leta.lv) news report February 16, 2005 accessed on March 31, 2006.

<sup>277</sup> See the statement by Aigars Kalvītis from April 29, 2005, available online at the web page of the Ministry of Foreign Affairs of Latvia at <http://www.am.gov.lv/en/policy/bilateral-relations/statement/Statement/> accessed on March 16, 2006.

<sup>278</sup> The position of the President of Latvia, see news agency LETA news report from April 15, 2005, available at [www.leta.lv](http://www.leta.lv) accessed on April 4, 2005.

actually gave enough time for politicians to decide whether any move forward with the signing of the treaty would be appropriate both judicially and politically. The government continued to assure the domestic and international communities about the readiness of Latvia to sign the treaty, even though such a position was not solid, and disregarded the ultimate supremacy of the Constitution over desired political action.

### **C. THE RUSSIAN POSITION: DON'T ASK, DON'T TELL; LEAVE HISTORY BEHIND**

The Russian position in regard to the border problem should not be understood as totally opposite to that of Latvia. It would be wrong to assume that Russia does not want to sign a border treaty or that the Russians do not recognize the provisions of international law.<sup>279</sup> Quite the contrary; from the position of Russian officials we can conclude that they understand that the Latvian position, based on principles of international law, is legitimate and creates serious political consequences for Russia. The Chairman of Foreign Relations Committee of Russian Duma, Konstatin Kosachev, expressed clearly that Latvian policy based on recognition of the Riga Peace Treaty of 1920 “is not simply a tribute to the past. If this treaty would be recognized, it would have enormous consequences. Of course, Russia cannot agree to that.”<sup>280</sup>

The problem with this position is that persistently refusing reference to the Riga Peace Treaty while building contemporary bilateral relations with Latvia, Russia claims that the forceful incorporation of Latvia into the Soviet Union is of no consequence, and is pressing forward to a new era of bilateral relations in which it refuses to admit wrongdoings of the Stalinist regime towards the Baltic States. With these actions Russia creates an image of undermining the sovereignty and state continuity of Latvia. If the Russian interpretation of history could be less ideologized, the dispute of the borders most likely would not last so long. Recognizing the illegitimacy of border changes between Latvia and Russia in 1946 would facilitate the political process in a much more

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<sup>279</sup> One of the principal objectives of Russian foreign policy, expressed in Foreign Policy Concept of Russian Federation (2000) is “stable, just and democratic world order, one based on the universally recognized norms of international law,” available at [www.ciaonet.org/olj/iarj/iarj\\_00\\_05a.html](http://www.ciaonet.org/olj/iarj/iarj_00_05a.html) accessed on April 6, 2006.

<sup>280</sup> See the news agency LETA web page at [www.leta.lv](http://www.leta.lv), news report from February 17, 2005.

cooperative way. Therefore, within this dispute Russia is to large extent responsible for creating a moral climate which does not promote constructive approaches based on reconciliation and justice.

Russia claimed its own rights to Pytalovo in 1992,<sup>281</sup> at the same time labeling Latvian claims as trying to undermine the principle of inviolability of borders.<sup>282</sup> Later that year Russia changed the former internal border between Latvia and Russia to an international border between two states. During bilateral talks Russia made it clear that there would be no talks about border changes and absolutely refused to discuss the issues of occupation of Latvia and the legal consequences of this issue. Moreover, deputies of the Russian Duma recommended that the Ministry of Foreign Affairs study the possibility denouncing the peace treaty with Latvia.<sup>283</sup>

In May 2005, Russia again refused to sign the border treaty. This time the refusal was justified by Latvian unilateral demands expressed in the declaration of the Latvian government.<sup>284</sup> Russia interpreted the Latvian position as an openly expressed territorial claim. Russia referred to the inviolability of borders, one of the most important provisions of the Helsinki Final Act of 1975. This position was officially confirmed in spring 2005, when Russia refused to recognize the occupation of the Baltic States and linked this issue with the necessity to comply with the principles adopted in 1975.<sup>285</sup>

In a legal sense, Russia refers to the principle of *uti possidetis* that determines the legitimacy of borders as of 1991.<sup>286</sup> The Russian position disregards the provisions of international justice demonstrating that *uti possidetis* cannot be applied to the situation of Abrene. Latvia was not able to defend its interests during the adoption of the Helsinki Final Act, because it was occupied and forcefully denied its sovereignty. The international practice in the rulings of the ICJ assumes the rights of legal claim over

<sup>281</sup> Dietrich Loeber *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of International Law, Vol. 2, 1995, 543.

<sup>282</sup> Ibid., 544.

<sup>283</sup> The proposal to denounce the Peace Treaty was expressed in regard to Estonia, too.

<sup>284</sup> The official position of the Ministry of Foreign Affairs of Russia from April 28, 2005, No.858-28-04-2005 accessible online at the web page of Ministry of foreign Affairs of Russia at [www.mid.ru](http://www.mid.ru)

<sup>285</sup> The official position of the Ministry of foreign Affairs of Russia, April 28, 2005, No. 858-28-04-2005, available online at [www.mid.ru](http://www.mid.ru) accessed on December 12, 2005.

<sup>286</sup> The interpretation of the term *uti possidetis* is drawn from *Black's Law Dictionary*, Eight Edition, West, a Thomson Business, 2004, 1582.

territorial holdings, and it is explicitly emphasized by Loeber: “frontiers established in violation of international law are not protected by status of inviolability.”<sup>287</sup> According to Loeber, such changes according to practice in international law can be made only by mutual agreement. Such action therefore could not be considered legal, and constitutes “an assault on a frontier in the sense this term is used in the Helsinki Act.”<sup>288</sup>

The current Russian position seems creating a new layer of problems in interstate relations. From the statements of Russian officials we can conclude that the statehood of Latvia of 1918 ceased to exist after its incorporation into the Soviet Union in 1940. Although this assumption has never been expressed explicitly in regard to the continuation of the statehood of Latvia, the Russian position on two similar cases – Lithuania and Estonia - suggests that Russia does not recognize the Baltic States’ continuity in regard to their existence after World War II. In an interview in the Estonian Postimees, the Chairman of Foreign relations Committee of Russian State Duma Konstantin Kosachev maintains the position that “Estonia lost its independence in 1940, and in 1991 Estonia emerged on the world map as a new country.”<sup>289</sup> Loeber also recalls a similar position of Russia towards Lithuania.<sup>290</sup>

The position of Russia appears even more confusing when examining the Decree of Recognition of Latvia, signed by Russian President Boris Yeltsin on August 24, 1991.<sup>291</sup> Yeltsin, when signing this Decree, did not mention any reservation as to whether this recognition was viewed differently from the legal position of Latvia. If so, Russia is obliged to recognize the independence of Latvia as a continuation of statehood of the

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<sup>287</sup> Dietrich Loeber, *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of East European Law, Vol. 2, 1995, 548, also Para 53, *Case Concerning the Frontier dispute*, Burkina Faso vs Mali, the web page of ICJ at [http://www.icj-cij.org/icjwww/icasess/iHVM/iHVM\\_ijudgment/iHVM\\_ijudgment\\_19861222.pdf](http://www.icj-cij.org/icjwww/icasess/iHVM/iHVM_ijudgment/iHVM_ijudgment_19861222.pdf) December 22, 1986, accessed on December 13, 2005.

<sup>288</sup> Dietrich Loeber, *Russian-Latvian Territorial Dispute Over Abrene*, The Parker School Journal of East European Law, Vol. 2, 1995, 547.

<sup>289</sup> Konstantin Kosachev, *Russian Parliamentary Politician: Occupation Did Not Exist*, Postimees, November 1, 2005, available online at <http://www.russiaprofile.org/cdi/2005/11/7/2775.wbp> accessed on December 10, 2005.

<sup>290</sup> Dietrich A. Loeber *Consequences of the Molotov-Ribbentrop Pact for Lithuania for Today International Law Aspects*, Conference paper, available online at the web page of Lithuanian Foreign Policy Review at <http://www.lfpr.lt/994/c10.doc> accessed on December 12, 2005.

<sup>291</sup> Reference to the photocopy of the Decree, obtained from the archive of the Popular Front of Latvia by this author in 1994.

republic of 1918. Changes in this position many years after such a Decree had been signed can be explained only by political motives. Thus, declaring *de jure* recognition and then gradually retreating towards a weaker interpretation of sovereignty, indeed, creates legitimate concerns about Russian interpretation of international norms; ambiguous intentions of Russians only facilitate a more rigorous entrenchment of the Latvian position in regard to the border treaty and wider prospects for cooperation.

The changing Russian position towards Latvian state continuity reveals its belief that the independent Latvia of 1918 ceased in 1940; and that the re-established Republic of Latvia at the beginning of the 1990's (as well as other Baltic states) does not require recognition of the *restitutio in integrum* principle. By these assumptions Russia refuses to make references to the Riga Peace Treaty in the new border agreement. Moreover, Russian officials recently admitted that disregard or denial of legitimacy of national political structures in Latvia during the Soviet time makes decisions concerning regaining state independence rather questionable, if the assumptions of illegitimacy used by Latvia in regard to the decisions made by its local puppet Soviet government would be applied to the Latvian authorities of the "Period of Awakening."<sup>292</sup>

The reluctance of Russia to face this problem is nevertheless understandable. Recognition of the provisions of the historic peace treaty means acceptance of the fact of occupation, and creates important judicial consequences that link together the obligations to transfer a part of de facto Russian territory, possible resettlement of a significant amount of people living there, and accepting the status of migrants in Latvia as colonists. The recognition of occupation in a broader sense opens the way for demands for restitutions for damages caused to the Latvian people and state. Clearly, these outcomes do not satisfy Russia, and its leadership actively seeks opportunities to avoid discussion concerning this matter. At the same time the explanation of the Russian refusal to recognize the authority of the ICJ in this issue is revealed: it is more than likely that placing the border dispute in the ICJ jurisdiction would result in the transfer of the

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<sup>292</sup> The official comments of the Ministry of Foreign Affairs of Russia, May 4, 2005, No. 913-04-05-2005, available online at the web page of the Ministry of Foreign Affairs of Russia at [www.mid.ru](http://www.mid.ru) accessed on December 13, 2005. The same assumptions can be applied to Estonia and Lithuania. These comments imply that the mechanism of the separation of the Baltic States from the Soviet Union could be questioned by Russia, if the Baltic States will continue the policy of illegitimacy in regard to political structures of the Soviet time in these countries.



Pytalovskii region into the possession of Latvia. Such a scenario is seen only as a breach of Foreign Policy Concepts of Russia and thus non disputable in interstate negotiations.

By adopting the unilateral declaration, ironically, Latvia provided Russia with space to maneuver, justified by the argument that further negotiations on the issue were possible only after Latvian readiness to drop the territorial claims. This is convenient domestically for Russian hardliner audiences and also it does not require any further action from the Russian side. Russia also gains from the domestic development in Latvia. However, as long as Latvians maintain internal discussion concerning the best solution, formal Latvian policy will stagnate, while Russian foreign policy can remain passive. Moreover, Russia also does not have any significant incentive to sign the treaty, because it does not make significant improvements for economic or political cooperation in the Baltic region or with the EU. The only gain would be an insignificant decrease of the level of stress in bilateral relations, and in addition does not *per se* guarantee improvements in other areas of bilateral disagreements. Moreover, Latvian policies towards the solution of the Abrene problem have lately been passive; thus signaling reluctance of Latvians to tie this question with broader cooperation issues in the EU and NATO. From this perspective Russian officials are not required to make hard choices or experience significant internal dispute, because signed or unsigned the border treaty does not change much for Russia. Overall the Russian position has been maintained strongly and has an internal consensus. Consequently, the border issue with Latvia is indeed low on priority list of Russian policy makers.

Toomas Hendrik Ilves, Vice Chairman of the European Parliament's Committee on Foreign Affairs and member of the Social Democratic Party from Estonia stated that "Russia's unwillingness to acknowledge the occupation of the Baltics is more of a psychological alarm than anything else."<sup>293</sup> For him, there is no possibility to expect apologies about occupation from Putin and his administration, and therefore the Baltic States should concentrate more towards the really important issues such as a practical solution to the new border treaties.<sup>294</sup>

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<sup>293</sup> See the reference on *Postimees*, Tallinn, November 1, 2005 at the web page of the Center of Defense Information at <http://www.russiaprofile.org/cdi/2005/11/7/2775.wbp> accessed on December 10, 2005.

<sup>294</sup> Ibid.

To sum up, Russian policy towards the Pytalovskii region almost certainly excludes any possibility of signing the new border treaty based on demanding recognition of the Latvian-Russian border prior to World War II. Russia does not consider the border changes unlawful actions and claims the inviolability of the borders according to the principles of the Helsinki Final Act. At the same time Russian policy towards the continuity of the Baltic States creates much concern in Latvia; therefore continuing demands for reassurance of its sovereignty are not unlikely, as well as an increase for recognition of occupation as the main precondition for signing the new border treaty between two states.

#### **D. IS A SOLUTION POSSIBLE?**

The case of the Latvian-Russian border is the story of failure of norms of international justice, in which none of the involved parties should be proud about the result. According to British expert of international law Gary J. Bass, “international justice must not only be done, but also be made to look useful and appealing” or referring to the political theorist Judith Shklar, politicians should commonly decide to choose “justice as a policy.”<sup>295</sup> The Latvian-Russian border treaty is not that case. Its political development points to the limits of institutionalism as well as realism. In the case of complex territorial issues, solutions to problems should not be linked with prospects for cooperation. The Latvian-Russian border dispute follows the assumption that a domestic political environment has enormous influence on foreign policy making and constrains practical political actions, as well.

The future of the Latvian-Russian territorial dispute is unsolvable without strong political commitment from both sides and readiness to build a compromise, as was already expressed by Loeber in 1995.<sup>296</sup> The principles of international law applicable to this dispute will play a lesser role than political negotiations. At the same time, the solution of the border dispute between Latvia and Russia is not an issue of immediate urgency. It cannot be left unsolved indefinitely either, because it can impede cooperation prospects not only between Latvia and Russia, but also between the EU and Russia.

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<sup>295</sup> Gary J. Bass, Milosevic in *The Hague: Justice as a Policy*, in *Foreign Affairs*, May 2003-June 2003 p.83.

<sup>296</sup> Dietrich Loeber, *Russian-Latvian Territorial Dispute Over Abrene*, *The Parker School Journal of East European Law*, Vol. 2, 1995, 547.

As of spring 2006, the Latvian parliament has adopted a law that will send the draft border treaty to the Constitutional Court of Latvia. The decision of the Court is expected to shed the light on possible political options that would not contradict Latvian legislation or, as it was put by one of the Latvian parliamentarians “to find a legal way, how to give away, what has been illegally seized.”<sup>297</sup> Other than that action, Latvia and Russia currently do not have any significant incentives to work on the solution of the problem. The de facto demarcation line functions as a state border that is also recognized by the EU. No immediate political agenda is linked in any way to the solution of the problem. Furthermore, even if there are no such research available, no substantial economic and political gains would be achieved by Latvia if the annexed territory would ever be transferred. This explains the observable pessimism of Latvian political elites towards the transfer of territory, and reluctance to pursue active policies for reclaiming the Abrene district or to internationalize the possible resolution of the dispute.<sup>298</sup> Therefore another internationalization of a problem does not seem successful and if achieved at all, the settlement should be achieved by mechanisms of bilateral relations.

Russia, claiming that the current Baltic States are new countries that emerged on the world map only in 1991, is responsible to a large extent for bringing the course of the Latvian–Russian border dispute to a dead end. The Russian position, based on political assumptions that recognition of occupation of Latvia is impossible due to a whole complex of political consequences it could create,<sup>299</sup> in practice facilitates unfriendly perceptions about Russian intentions towards Latvia. The border problem is important for such concepts as Latvian sovereignty and continuity of the state. Russian step towards understanding of Latvian motivation in this dispute would gain both politically and in terms of its prestige in the Baltic States. Russian misinterpretation of the nature of decisions of the Soviet government in regard to annexation of the Abrene district,

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<sup>297</sup> Excerpts from the speech of Maris Grinblats at the plenary meeting of Latvian parliament, January 26, 2006. Available online at the web page of the Parliament of Latvia at [http://www.saeima.lv/steno/2002\\_8/st\\_060126/st2601.htm#s47](http://www.saeima.lv/steno/2002_8/st_060126/st2601.htm#s47) accessed on April 4, 2006.

<sup>298</sup> An exception is the right wing party who sees the solution to the problem in re-transfer of the district to Latvia. See the announcement of right wing political party *Tēvzemei un Brīvībai*, April 7, 2005. Available online at the party web page at <http://www.tb.lv/index.php?id=228> accessed on March 7, 2006.

<sup>299</sup> Interview of Konstantin Kosachev, chairman of the Russian State Duma's International Affairs Committee, November 7, 2005, See *Refusal to acknowledge occupation of Estonia*, Text of report by Estonian newspaper *Postimees* website at [www.postimees.ee](http://www.postimees.ee) accessed November 11, 2005.

therefore, should be explained by the psychological dimension of Russian domestic politics. The end of WWII was the most glorious time in the history of Russia. If the ultimate glory were suddenly to be labeled as brutal and unlawful aggression against peaceful neighbors, this could become a part of their “geopolitical tragedy.”<sup>300</sup>

Most recently, however, foreign ministers of Latvia and Russia have been trying to dissipate such concerns, saying that the current situation with the treaty “does not hinder the development of cooperation in other areas.”<sup>301</sup> Such a statement, however, seems mere diplomatic rhetoric and an attempt to decrease the highly negative background of bilateral relations. In reality the rhetoric in regard to the border treaty, even though signaling “fatigue from antagonism,” does not change the nature of bilateral relations and at this moment cooperation seems not producing productive outcomes.

The political process between Latvia and Russia leads to more specific scenarios which should be considered as potential perspectives. Four possible scenarios seem applicable for the solution of the conflict. First: Russia recognizes the occupation of Latvia and decides to return the Abrene district to Latvia. If this scenario were implemented, it would emphasize the ultimate triumph of international law and the fundamental changes within the Russian dimensions of geopolitical thinking. Expectations of the development of the situation, however, absolutely disregard the political context of international law. Even if Latvia appeared to be defending its rights to illegally seized territory, other issues of bilateral relations would not be solved. By expressing readiness to engage in such political actions, Russia would clearly retreat from its political positions, namely, inviolability of borders and justification of actions of the previous government of the Soviet Union. The events developing in this scenario would create a significant backlash among the Russian political elites and within a significant portion of the society, challenging long-held sentiments of Russians. Moreover, the changes of the borders would threaten a chain reaction in other places of Europe. Such events most definitely would not be in the interests of Latvia. Therefore, this scenario is a

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<sup>300</sup> “Geopolitical tragedy” is the term used by Putin, describing consequences of the collapse of the Soviet Union. In this version see web page of *USA Today* at [http://www.usatoday.com/news/opinion/editorials/2005-05-08-russia-edit\\_x.htm](http://www.usatoday.com/news/opinion/editorials/2005-05-08-russia-edit_x.htm) accessed 6 December 7, 2005.

<sup>301</sup> Press release of the Latvian Ministry of Foreign Affairs, December 8, 2005. Available online at <http://www.am.gov.lv/en/news/press-releases/2005/december/08-4/> accessed on December 10, 2005.

utopian option that seems analyzable only for the purposes of a theoretical approach. The expectations that Russia would accept legal claims that are based on the Riga Peace Treaty are overvalued. The current ethnic composition of the Abrene district makes transfer of territory as well as resettlement of people in contemporary Europe impossible.

Second: Latvia waives its territorial claim and signs the new border treaty without reference to the Riga Peace Treaty and forceful subjugation to the Soviet Union in 1940. Basically, the border dispute could be solved by a Latvian retreat from its position in regard to the necessity of solving the Abrene problem according to international law. Such action by Latvia, though, appears politically dangerous and unacceptable domestically, and therefore seems inapplicable as a scenario for the solution of the dispute. The government of Russia would be satisfied by a Latvian waiver to claim rights to Abrene, but it would not necessarily mean the preconditions for a thaw in Latvian-Russian relations, because other bilateral problems would not be solved. Therefore this scenario would also not promote cooperation between the two neighbors, and seems highly unlikely.

Third is the principle of a political and legal package. Russia recognizes the fact of occupation of Latvia; in return Latvia drops the territorial claim to the Abrene district and claims for compensations for the occupation.<sup>302</sup> This scenario seems the most realistic. It has, nevertheless, certain preconditions as well; it needs a consistent policy of government in Latvia and more cooperative policies in regard to the Baltic States in Russia. The problem also is that one side must take the initiative in re-energizing negotiations, when bilateral relations between both sides are still somewhat unfriendly and highly sensitive about issues of historical interpretations, like consequences of the occupation. If neither party is willing to take the first step, there is a possibility that the problem will be moot, similar to that between Russia and Japan.

One more option always exists, and that is maintaining the current *status quo* for an uncertain period of time. Stability achieved by this stalemate will be of a negative, “no peace, no war” type, and will not facilitate any cooperation between Latvia and Russia. In

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<sup>302</sup> Variations on the scenario can also include broader political issues such as a change of political position of Russia in regard to the Latvian attitude towards its Russian speaking population or enhancement of economic cooperation; for example, transit of oil and gas.

this case both states will limit their cooperation to the minimum possible, but the prospects of bilateral relations and mutual gains from it will remain unfulfilled.

As to tactical considerations, the possibilities for solutions to the problem could be expected not in 2006, but rather in 2007 or early 2008. One reason for that is a new parliament and new president in Latvia. New parliamentary elections in 2007 will also be held in Russia, and President Putin's term expires in 2008, as well. Each of these factors can influence the process of bilateral relations. The new status of the interstate border must not, however, be achieved by any means possible. If this agreement cannot be achieved by natural consensus and in favor of both states, improvement of bilateral relations between Latvia and Russia will not happen in any case. And concerning this issue, purely political factors should not be sought. Symbolism and controversy of perceptions still makes up a significant part of these relations and overcoming these objectives will be much harder than simply putting two signatures on paper.

The current region of Pytalovo does not hold much interest for Latvia; this opinion is shared among political leaders and the majority of Latvian people. It is the issue of the recognition of occupation that is important, not only on moral grounds, but because of the concept of state continuity, which is the basic principle Latvia used to regain its independence in 1991. The piece of land alone, even with its evidentiary symbolism, neither facilitates solution of the border problem, nor impedes the cooperation between Latvia and Russia; the way it is handled, does.

## **VI. CONCLUSION: LATVIA AND RUSSIA: IS THERE A WAY OUT OF THE MAZE OF THE PAST AND MISPERCEPTION?**

This study has offered a skeptical view of the asymmetric relations between two neighboring countries which are bound by the burden of distrust and misperceptions. Very little would lead to optimistic conclusions about the nature and future of their bilateral relations between Latvia and Russia. The mutual political agenda has been heavily constrained by interpretations of events before and after World War II as well as results of the Soviet occupation, in general: the question of citizenship for migrants from the Soviet Union and compensation for damages caused by the Soviet occupation. These interpretations have been transformed into state policies which have denied bilateral relations unproductive outcomes. As President of Latvia pointed out, Latvia and Russia have “dialog of deaf.”<sup>303</sup>

Russia clearly has to take chief responsibility for this outcome because, as we have seen, not only is Russian leadership flirting with its communist past, but, to some extent, justifying such crimes as aggression and unlawful annexation of other states’ territories. A view of these actions can be easily perceived by others that Russia does not differ much from the Soviet Union in terms of values and boundaries of “acceptable” and “unacceptable” behaviors in international affairs. Moreover, Latvia has indeed changed a lot from its initial vigorous positions on citizenship and status of minorities. These positive initiatives have been left without any answer from Russia.

Latvia, on the other hand, constantly misses windows of opportunities to end the emotional race with Russia for the status of one of “the greatest victim of World War II.” Its domestic political agenda keeps producing discussions about the past that shift valuable focus from the achievements of societal and institutional transformation caused by Latvian integration into NATO and the EU. Even though the Communist and the Nazi regimes committed crimes in Latvian territory, leaving behind incomprehensible suffering; even if Latvians have experienced both refugee camps in the West and the GULAG prisons in Siberia; even though there are fewer Latvians in the world now than before the war; and even if fifty years of Soviet occupation made the prosperous country of Latvia a backward periphery of Europe, it is now time to close the “book of pain” and look into the future. At

<sup>303</sup> See news agency LETA reference on *Telegraf*, Riga report at the web page of news portal TVNET at [www.tvnet.lv](http://www.tvnet.lv) on December 27, 2006, accessed on May 28, 2006.

the end of the day, there are new generations of Latvians in this world who must know the painful history of the Latvian nation and the state, but do not have to be either hostages or bearers of past victims' complexes or historic guilt" in general that has strong roots in some part of Latvia's society and political elite. The new Latvians should focus instead on increasing their wealth and promoting stability and peace in Latvia, in the Baltic region, in Europe and also in the world. Without a more pragmatic view of historic events, there will be a substantial problem for forming a modern political Latvian nation. It is, however, important to understand that Russia also can facilitate Latvian reconciliation with its past by admitting the wrongdoings of the Soviet regime. This link between the Latvian domestic political agenda as a response to Russian "historical fundamentalism" should be studied more from the perspective of both societal behavior and the so-called "second image reversed" of international relations. From this research it is possible to conclude that a more comprehensive Russian approach to the 20<sup>th</sup> century history could evolve into a less hostile perception towards Latvia, and thus reassure Latvians about non-violent Russian intentions and set the stage for improvement of Latvian-Russian relations.

Six main conclusions can be drawn from the analysis of available data presented in this paper. First, the changes to international systems left little influence on Latvian-Russian bilateral relations. The animosity between Latvia and Russia still persists between these states after the enlargement of NATO and the EU. The assumption that relations could be improved after the enlargement of NATO and the EU has proven wrong. Even if Latvia's relative position in international affairs has been significantly improved by participation in the strong political, economic and military alliances, this improvement appears to be insufficient to solve practical problems of bilateral cooperation.

Currently, Russia is much too busy with its plans for revival as an "energetic superpower," and it assumes that serious efforts should be put only into the development of relations with other great powers and particularly with those in Europe, namely, Germany and France. The expectation that the latter two and Russia again will be able to comprise a new European regional powerhouse is one of the main driving forces of Russian foreign policy towards Europe, albeit not directly deriving from official security policy. Thus, in the Russian mind, the smaller states "in between" European great powers



will unavoidably experience an increase of economic and political influence over what the smaller states consider their internal affairs. Furthermore, problems with the formulation of coherent Latvian policy towards Russia at the EU level open more options for Russia in bilateral relations, which is exactly the desired Russian stand in European politics.

None of the most important bilateral disputes between Latvia and Russia have been created or solved by changes in the international system. For example, the dispute over the border treaty has not been influenced by some specific situation in the international system, even though the piece of land both states disagree upon is part of the EU-Russia border. Neither power relations between states nor international institutions significantly influence on the current state of Latvian-Russian affairs.

At the same time the future of Latvian-Russian relations can be more influenced by the situation in the international system and particularly by the ability of the EU create more coherent policy for cooperation with Russia. Especially concerning seems the development of the EU energy policy and position towards deteriorating democratic standards within Russia.

Second, the overall evaluation of Latvian-Russian relations at the domestic level reveals that neither Latvia nor Russia has a feasible policy in regard to relations towards each other. No foreign or security policy document in Latvia or Russia sheds light on the vision of how mutual relations should look from the perspective of the next decade. Meetings of diplomats and politicians of both states currently consist of declarative phrases that when announced in public neither create any positive development nor are intended to do so. In this regard both states do not have practical incentives to find a solution of their discrepancies. Only at the end of May 2006, the Ministry of Foreign Affairs of Latvia published another draft of Foreign Policy guidelines. Even though this document presents more detailed Latvian view on the security processes in the world, in regard to Russia policymakers essentially have not expressed significant changes from the previous versions; the process still prevails over the commitment for result and desirable end state remains blurred.

It seems impossible to separate the difficulties of economic cooperation and political issues. The Latvian attempt to separate the problem of the border treaty from economic cooperation should be considered a pragmatic and overall positive policy that

does not seem fully supported by the Russians, however. Their concern for the situation of Latvia's Slavic population and "neomercantilism" in economics are linked, and as such will be maintained by the Russian leadership. If there is no common or close position of both states concerning the interpretation of historic Soviet aggression in the Baltic States, the issue of Slavic minorities cannot be solved, because the perception of "wrong" and "right" is viewed as the same in both cases. Furthermore, if economic cooperation is directly linked to the treatment of Slavic minorities in Latvia, no economic agreement will ever be implemented in a constructive and mutually beneficial way. In this light we can assume that the latest development of Russian energy policy as an instrument of coercion is aimed at changing Latvian policies in areas where it is most challenging to Russian foreign policy goals. Hence, the maintenance of Slavic minorities as victims of "Baltic apartheid"<sup>304</sup> is an important weapon in the Russian foreign policy arsenal. This attitude, however, has hardly anything to do with the real situation of the non-Latvian population in Latvia and, thus, there is only one explanation for such actions, namely, that Russian policies towards Latvia are oriented towards the preservation and increase of Russian influence in the Baltics. The reason for that, however, is not a realist vision of self-interest, but the Russian "traditionalist" value driven perception that Russia still owns the sphere of influence around its borders. The existence of ethnic Russians in the Baltic States offer a wonderful opportunity to use them in creating political soap bubbles, even though the Russian compatriots in Central Asia and the Caucasus live in truly extreme and worrisome conditions and Russia does very little to help them.

Third, paradoxically, even if there is no immediate necessity for solving the border problem from a national security perspective, the dispute over the Abrene district remains the centerpiece discrepancy of Latvian-Russian bilateral relations. By leaving the issue untouched for a long period of time, Latvia will inevitably lose the possibility to address it, as well as the issue of occupation, in general. In order to maintain the illegality of the Soviet actions in the 1940s, Latvia has to achieve a solution with Russia on the border treaty as part of a package including recognition of occupation and/or recognition of state continuity of the Republic of Latvia. Other solutions to the border treaty separate

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<sup>304</sup> Konstantin Kosachev, *A Dictatorship of Incompetence, Russia in Global Affairs*, No.2, April-June 2006.

the issue of occupation from real policy tools; that would be a costly mistake and doom any Latvian demands in this regard and make the issue incomprehensible to contemporary European politics. Moreover, Latvia's inability to use the authority and influence of EU leadership to favorably influence this historical debate has not left any feasible policy options other than linking occupation and the Abrene district. The solution of the constitutional constraint eventually will be part of the domestic political process in Latvia and should not be considered too important for the signing of the new border treaty. It will provide the Latvian political elite with another policy option, not necessarily with a clear action plan.

It is also important that the Latvian-Russian dispute about the border treaty is by no means unique in the regional context. The Estonian-Russian border treaty has not been signed largely due to the same reasons. From this perspective, the development in one dispute will influence the development of another and vice versa. The Estonian political consensus among the political elite, however, differs from the situation in Latvia. The psychological advantage that this situation gives to Estonians is not significant, but still, in this case, the Russians are the ones who lost the initiative when president Putin withdrew from the treaty. In the Latvian case, the Russian position is conveniently based on the refusal of demand of the Latvian government's for recognition of occupation. Such action, however, does not seem possible in Latvia, because it would jeopardize the whole policy on the border problem, and in 2006 would be domestically impossible.

Fourth, the Russian commitment to great power politics makes Latvian reliance on alliance politics even more important. NATO and the EU are institutions which not only integrate Latvia in the European security system institutionally and psychologically, they guarantee a say in the European politics. At the same, the opportunity to express an opinion on the European political stage should not, however, be taken for granted. There is no guarantee that other Europeans will listen, and even if they do, there is no guarantee that they will act supportively. Therefore, even if it requires additional resources, Latvia should not only rely on the generally expressed support from its allies in transatlantic security structures, but seek supporters and regional cooperation mechanisms for persuading the partners about the importance of current issues on the Latvian political agenda with Russia. For example, the decision to seek European support for signing the

border treaty with Russia, recently expressed again by the government of Latvia,<sup>305</sup> is right, but has been tactically dilatory and untimely. Yet the ambiguity of such a policy does not explain why this process again needs to be renewed before the domestic constitutional constraint has been removed and policy options are transparent. In another case, the highly volatile process (in terms of policy) of building the Nord-European gas pipeline requires active and common political positions of more than one EU state. Hence regional pressure on EU institutions and Germany seems the only way to make this project less concerning to the Baltic States and Poland.

To sum up, Latvian political goals in the Eastern sector are highly ambiguous. Policy wise it is not clear, for example, on what terms Latvia will be ready to drop the non-recognition policy of the annexation of the Abrene district and what the real purpose of the demands for compensation for occupation is. Therefore, a more detailed Latvian position towards Russia and on the solution of mutual problems is important not only as guidelines for Latvian policy makers, but for Latvian allies in the EU and NATO, whose agenda and perceptions about Russia do not correspond to that of Latvia.

Russian foreign policy performance does not deserve a positive assessment; the knowledge and understanding of Latvian motivation and preferences is flat and continues to produce a distorted image of Latvia. Russians should re-evaluate the inconsistency of their political messages in areas such as linking political and economic processes and tolerance of communist crimes. Some Russian scholars point out that “it is not clear, however, how long it will take the country to throw off the last waverings and suspicions concerning the West and what price it will have to pay for its final break with the past.”<sup>306</sup> This undeniably requires courage from the Russian politicians to take a principally new stand on their past and admit that greatness of military victory is only one side of the story. The other side is naturally linked to the communist system, namely, that the backwardness, corruption, and overall poverty is nothing to be proud about, even if it was marketed as a time of unity between a regime leadership and the people. Unless this “fundamentalism” ceases to dominate Russian domestic policies, Russian foreign policy

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<sup>305</sup> News agency LETA report on May 9, 2006, available online at [www.leta.lv](http://www.leta.lv) accessed on May 9, 2006.

<sup>306</sup> Lilia Shevtsova, *Political Leadership in Russia's Transformation*, in *Russia's Engagement with the West: Transformation and Integration in the Twenty-First Century*, Alexander J. Motyl, Blair A. Ruble and Lilia Shevtsova, (ed.) M.E. Sharpe, Armonk, New York, 2005, 102.

will continue to project an aggressive image. Hence, the aspirations to great power leadership will remain aspirations, and cooperation in the international system will move towards a zero sum game – eventually, to instability and conflict. When Russian Ambassador to Latvia Kalyuzhni claims that an “infamous curse of evil has been lifted from Russia by the international society”<sup>307</sup> Latvia must recognize that Russia does not look friendly either and therefore the key variables for the future of Latvian-Russian relations should be sought in Moscow, rather than in Riga. As one French foreign policy expert mentions, “Russia, with current repressions against civil society, the re-nationalization of main economic sectors, inability to create any political approach to the resolution of conflict in Chechnya and with the cultivation of nostalgia for the Empire kills its only chance to take a significant position in the future.”<sup>308</sup>

Fifth, contemporary Latvian-Russian relations are heavily constrained by mutual historical experience, which is an undeniably important variable that shapes values and interests in both states. It is, however, not the only factor in foreign policy formulation in Latvia and Russia. The traditions and practices of the political elite and personalities of political leaders by no means matter less. Both states are currently led by strong leaders with high authority within their respective societies.

Even though Latvian-Russian relations are not good, they are not deadlocked, and both states still have opportunity to normalize relations by changing perceptions in order to create social and political demand for cooperation between them. However, until the Latvian and Russian societies relinquish traditional prejudices about the past, it will create “biases” among the elites. As mentioned in scholarly works, from the perspective of communication, “bias” is “an error in judgment that is consistent and predictable.”<sup>309</sup>

From this perspective Latvian-Russian relations do not evidence any positive “surprises” produced in the near future. To put it another way, any positive change should be considered a welcome but unexpected development. Both states are merely trying to maneuver, using means of power at their disposal and persuasion to achieve their

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<sup>307</sup> See reference in Виктор Калюжный: “Латвия повернулась к России боком,” *Telegraf*, Riga, January 19, 2005.

<sup>308</sup> Dominique Muisi, *Krieviju un Kinu vairs nesalīdzina*, (*Russia and China Are Not Compared Anymore*), *Diena*, Riga, January 26, 2006.

<sup>309</sup> Richards Heuer, Jr, *Cognitive Factors in Deception and Counterdeception*, in *Strategic Military Deception*, Donald C. Daniel and Katherine Herbig (Eds.), Pergamon Press, New York, 1982, 31-69.

respective goals. In bilateral relations of neighboring countries such a situation is a persistent source of friction and conflict. Whatever the political rhetoric would claim about the prospects of improvement of bilateral relations, by this point it remains only rhetoric, and prospects do not transform into policies. The optimistic view that Latvian and Russian bilateral relations have developed a positive tendency is not supported by the evidence. Such statements appear as desperate attempts of political leadership in both states to find at least some positive message suitable for domestic and international public. Neither the spring 2006 official visit of the Prime Minister of Latvia to Moscow, nor a single agreement on economic cooperation has been signed as of early June 2006, even though such expectations were cultivated extensively. For example, the argument that an inter-governmental commission has been established in 2005 as such does not point to any positive changes in relations between the two states.<sup>310</sup> Similar commissions had been established a few times in post-Soviet history, their “shelf-life” depending on political developments in Russia. The most recent example of the Russian attitude towards inter-government commissions “in action” could be observed in bilateral relations with Latvian neighbor Lithuania. After the crash of a Russian Air force fighter in the Lithuania, supposedly dissatisfied with the Lithuanian reaction to this event, the Russian delegation refused to participate in bilateral talks on cooperation in trade, economics, and scientific and culture matters.<sup>311</sup> These issues by nature could not be linked, but the action of the Russian government revealed a broader path of policy against the Baltic States. In this context Latvians should not expect that the Russian leadership will formulate and implement their foreign policy out of barely explainable norms of morality. In situations where Russia really owns the potential for global coercion in the form of energy resources, such expectations would be, to speak the words of Charles Krauthammer, “to confuse foreign policy with philanthropy.”<sup>312</sup> Meanwhile, the Russians should not expect that their “energy stick” gives them *carte blanche* over the

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<sup>310</sup> See the reference on the interview of President Vaira Vīķe-Freiberga to *Izvestija*, December 23, 2005. Excerpts available online at <http://www.tvnet.lv/zinas/printArticle.php?id=117493> accessed on March 18, 2006.

<sup>311</sup> Neatkarīga Rita Avīze, Riga, Latvia, September 22, 2005.

<sup>312</sup> See Charles Krauthammer, *When to Intervene*, *The New Republic*, 6 May, 1985, 10, cited in Gregory A. Raymond, *Necessity in Foreign Policy*, *Political Science Quarterly*, Vol. 113. No.4, 1998-1999, 674.

seemingly fragmented Latvian political environment. In the most important issues of domestic and foreign policy – the orientation towards transatlantic relations and alliance policies, strong support for the state continuity and interpretation of the past; and finally, suspicions against the majority of Russian diplomacy maneuvers – the Latvian political elite is almost unanimously united.

Sixth, this study has revealed that there is not enough research on the process and roots of national security formulation in Latvia, the other Baltic States, and to a lesser extent in Russia. Particularly interesting and promising fields of research are opening in the areas of strategic culture that this research paper has attempted to sketch, and the link between values and national interests in post-NATO and post-EU enlargement societies in Central and Northern Europe.

In reality, Latvia and Russia are and will be neighbors, with multiple links and dependencies, even though one is large and the other small. There is currently not much positive movement in mutual relations. Nevertheless, both states face the same global challenges that will welcome cooperation, and eventually the integration of Russia into European markets and security mechanisms will create windows of opportunity for making step(s) closer to each other. It is probably the only optimistic conclusion about the state of affairs of Latvian-Russian bilateral relations that we can make in the middle of the first decade of the 21<sup>st</sup> century. Tina Rosenberg is right when she says that “nations like individuals need to face up to and understand traumatic past events before they can put them aside and move on to normal life.”<sup>313</sup> It is, however, not easy for individuals, and much harder for ethnic groups or nations and states. Hence, there is a long road that still lies ahead for Latvians and Russians to reach consensus about “rights” and “wrongs” in their history. Currently the impediment of history is a barrier against building new relations, and both states must learn to live with what they have and coexist peacefully. William Faulkner characterized these situations with amazing precision when he said, “The past is never dead. It’s not even past.”<sup>314</sup>

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<sup>313</sup> Tina Rosenberg, *The Haunted Land: Facing Europe’s Ghosts After Communism*, Vintage Books, A Division of Random House, Inc., New York, 1996, xviii.

<sup>314</sup> William Faulkner *Requiem for a Nun*, Act I, Scene III, fragment available online at the web page *William Faulkner on the Web* at <http://www.mcsr.olemiss.edu/~egjbp/faulkner/faulkner.html> accessed on February 12, 2006.

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